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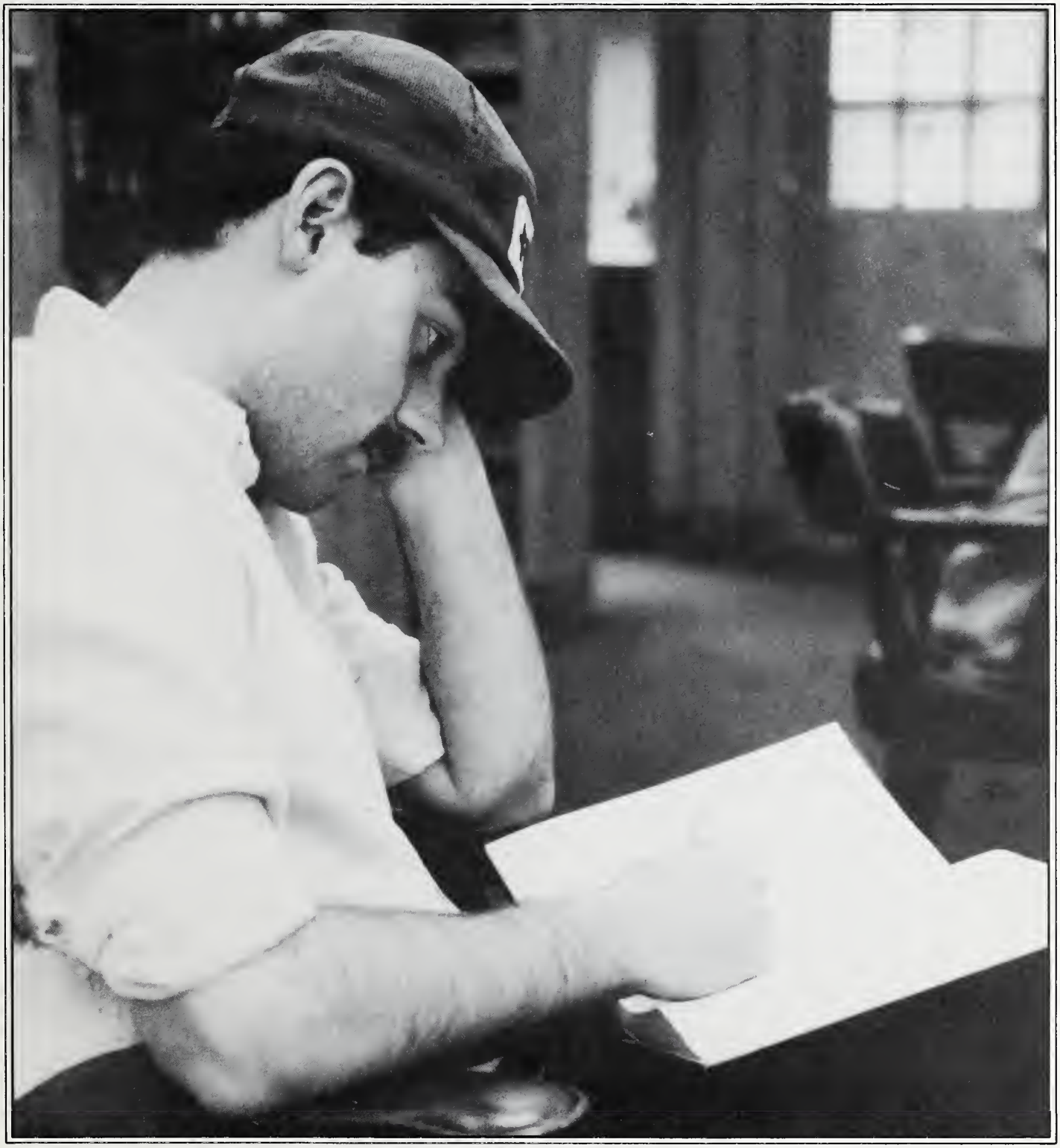

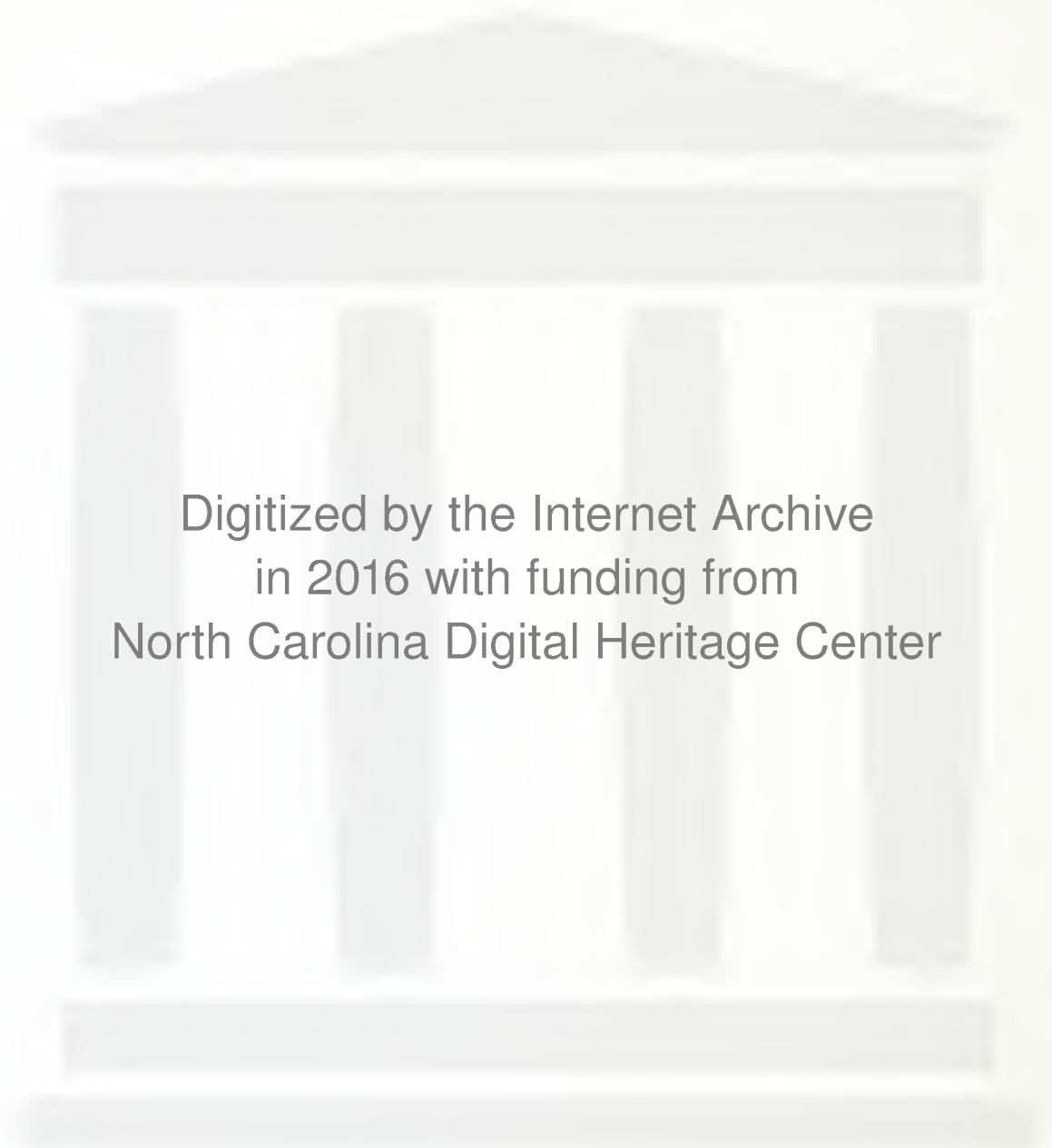
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STATEMENT OF PURPOSE AND POLICY

The **Wake Forest Jurist** is published twice yearly by the Wake Forest School of Law of Wake Forest University. Its main purpose is to inform the friends and alumni of the Law School about activities and events of interest at the Law School, of recent important decisions by the courts of North Carolina and other jurisdictions, and news of the achievements and activities of fellow alumni. In this way the **Jurist** seeks to provide a service and a meaningful link between the School of Law and its alumni. Also, the magazine shall provide a forum for the creative talents of students, faculty and its alumni and an opportunity for legal writing by them. Opinions expressed and positions advocated herein are those of the authors and do not represent official policy of the School of Law.

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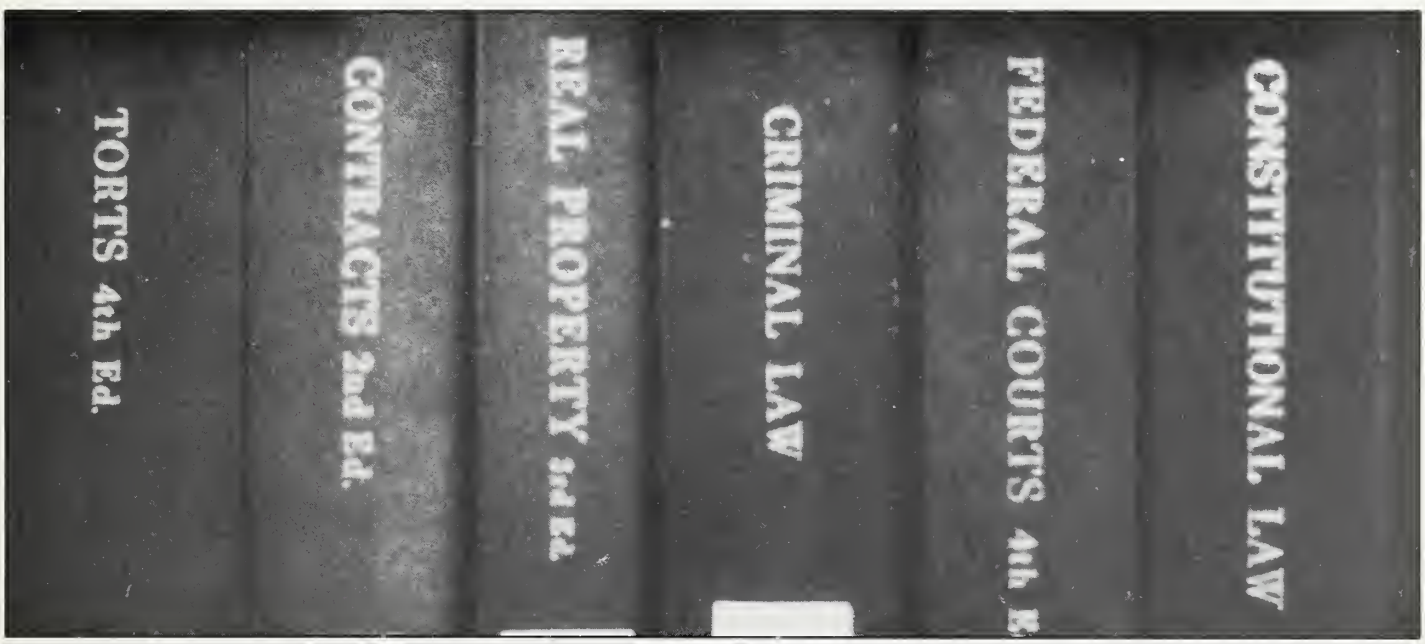
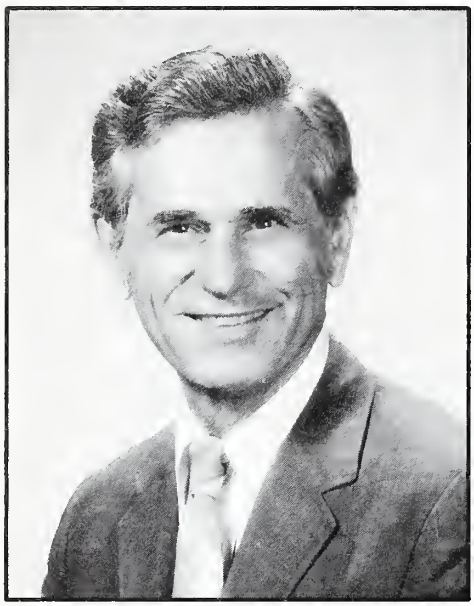


Dean's Letter



During the next few months you will be seeing a new face at Law School alumni gatherings. Lyne (pronounced Line) Gamble has been appointed to fill a new position which has just been created in the Development Office. All of his time will be dedicated to the Law School. His responsibilities will include the planning and operation of the annual fund drive and the telethon, setting up all of our alumni meetings, working with the Law School Board of Visitors and the Lawyer Alumni Executive Committee, and in general, doing all of the Law School development and alumni relations work that Julius Corpening doesn't have time to do (or doesn't want to do!) For the past few years Julius has had some extremely valuable help from Bob Baker, Sandra Connor and Karen Sistare, but it has always been on a part-time, sporadic, almost ad hoc basis that has left all of us a bit frustrated. Julius will now be free to concentrate much of his time on the immediate and longer range capital needs of the Law School and to work on our long-delayed deferred giving program. Lyne Gamble is a bright, energetic person whom I think we will all enjoy having around. Please take the time to seek him out at the next alumni meeting you attend and to introduce yourself. We will get him a name tag with letters large enough for all of us to read without our glasses so you won't have any trouble finding him.

For the past several months I have served on a special committee of the North Carolina Bar on the Competency of New Admittees. The Committee is chaired by Wright Dixon, the President-Elect of the North Carolina State Bar, and includes all five North Carolina law school deans, several members of the State Bar Council, and other representatives of the judiciary and the practising bar. It is charged with the task of studying the perceived gap between what lawyers know and can do when they have graduated from law school and passed the bar examination and what they should know and should be able to do at that stage in their careers, determining whether such a gap does exist and if so how serious it has become, and recommending remedial action if such action appears to be either necessary or desirable. With the help of the State Bar staff, the Committee has collected information from many of the states which have been working in the area, and has addressed a questionnaire to all members of the State Bar. It has scheduled a public hearing several weeks from now to solicit the views of the practising bar, the public in general, and many of the organizations whose members may have an interest in the work of the Committee and either additional information or points of view which they may wish to provide or express. As we have sifted through these materials and talked with everyone we can find who has had some experience or done some research in similar or related areas we have begun to move toward some interesting conclusions. I cannot, of course, speak for any of my Committee colleagues, but I sense that we are fairly close in our thinking that the "gap" does in fact exist but that it probably is smaller than it was 10, 20, 30, or 40 years ago; that it may be more serious today and in the years immediately ahead because more and more new admittees will probably be hanging out their own shingles; and that the bar and the law schools should work together to close the gap as much as possible without bankrupting the law schools, imposing unfair and unnecessary burdens upon new admittees, and demanding unrealistic performance from members of the practising bar.

The data shows quite clearly that the law schools are doing a far better job of providing training in lawyering skills than they have ever done in the past. Every law school today offers fairly sophisticated trial practice courses in-

cluding videotaping followed by both taped and oral performance critiques. Every law school offers some kind of clinical experience program which places students in actual practice situations under close supervision by faculty members and/or practising lawyers. Every student in every law school gets some experience and training in the drafting of pleadings and memoranda, and some fairly intensive training in legal writing. At the same time, a very large number of law students actually work in a law office while they are going to law school, either during the summer break or on a part-time basis during the regular school year. Many law firms have discovered that law students can do very good paralegal work and are distinct economic assets if properly utilized.

None of this was true when many of us went to law school. I never *saw* a complaint or an answer until I went to work in a law firm, had never drafted a will or anything else (except an appellate brief), knew nothing about any kind of a trial below the appellate level, and certainly had never attempted to question a witness or take a deposition. I suspect the same things were true, perhaps to a slightly greater or lesser extent, with many of you.

Even the writing skills of our students, which all of us tend to deplore, are not all that bad, I suspect, when compared with our performance in the old days. In a very unscientific comparison I pulled out a few of the examinations and case notes which some of you wrote for me back in the late '50's. Some of them were very well written, indeed. But a number of them would have left Ed Wilson shaking his head. There was one Torts exam on which the word "liable" had been spelled five different ways — none of which was correct.

The results of our questionnaire, however, and other studies which we have reviewed also appear to show that most new admittees are not fully competent to practice law on the day they are admitted. Some lawyering skills can only be developed through experience, but others can and probably should be taught to new admittees either before their admission or as soon as possible thereafter. The committee has studied a number of programs and proposals designed to provide this additional training, but has as yet found no single answer to the problem. A required period of internship for all admittees before they are licensed is one frequently mentioned possibility which would appear to meet many of the perceived needs. It works well for doctors, why not lawyers? Unfortunately, the legal profession does not have available to it a centralized training ground like a hospital within which a structured, comprehensive, tightly supervisd training program can be developed. To the best of my knowledge no one has yet been able to design a program which will provide relatively uniform and comprehensive training in several hundred different locations across the state which can be fairly and effectively supervised and administered. The sheer numbers involved would require every law firm in the state to have at least one intern in their offices on a fairly regular basis, and in order to make the program work, the lawyer or lawyers in that firm would find it necessary to dedicate a considerable amount of time to training the intern, not just using him or her as another paralegal. Just being in a law office with little or no training effort on the part of the firm may provide an intern with some amount of valuable experience, but probably not enough to justify the burdens imposed upon a new admittee by a mandatory internship program. Today's law offices are extremely busy places, and it may simply be unrealistic to expect all of the members of the bar to allocate substantial amounts of their time on a consistent ongoing basis to the training of young lawyers many of whom will not end up as members of their own firm.

Some of the other programs and ideas which the Committee has considered approach the problem from a different perspective. An expanded version of the "Bridge-the-Gap" course would certainly provide additional training, although to a large extent this would be "practical knowledge" training rather than "practical skills" training. The infusion of hands-on "practical skills" training into this kind of course would sharply raise the costs, perhaps to prohibitive levels.

New Jersey has combined this type of course with a series of elementary practice manual publications which provide immediate training materials as well as "take-along" practice tools. They have relied almost entirely upon self-study followed by examinations and have reduced skills to a bare minimum.

Other programs have focused upon programs operated in the localities where new admittees plan to work. Orientation programs put on by county or district bar organizations introduce new admittees to the courts and other community agencies and institutions in which they will actually practice. Preceptor systems assign each new admittee to a local lawyer who has agreed to serve in an advisory capacity, answer questions, and in general provide each new lawyer with an experienced local attorney to whom he or she can turn for advice and counsel.

All of these ideas have merit. All of them have flaws or would pose difficult implementation problems. I hope you will take some time to think seriously about these and other possibilities and will share your thoughts with me or any of the members of the Committee. A successful "gap" closing program would provide tremendous benefits for our profession and for the people of North Carolina in the years ahead.

A Saving Grace: The Relation Back Doctrine

By Michael J. Lewis

In the recent case of *Burcl v. North Carolina Baptist Hospital,* 306 NC 214, 293 S.E. 2nd 85 (1982), the North Carolina Supreme Court presented plaintiffs (and their counsel) a saving grace: application of the relation back doctrine to amended and supplemental pleadings, so as to defeat an intervening statute of limitations. The impact of this decision should not be ignored by the practicing attorney, who is sometimes too busy or too uninformed to comply with procedural technicalities.

The relation back doctrine permits an amendment which arises out of the same conduct as the original pleadings to be treated as if alleged at the commencement of the action.[1] Prior to *Burcl*, the North Carolina Court of Appeals had consistently reached the harsh and arguably unjust conclusion that a plaintiff could not have an amendment to the complaint relate back so as to defeat the bar of the statute of limitations.[2] However, in *Burcl* the Supreme Court embraced the relation back doctrine, and brought North Carolina procedure into complete accord with the Federal Rules of Civil Procedure and the laws of an overwhelming majority of states.

Ms. Burcl had brought a wrongful death action in her capacity as a foreign administer of her deceased daughter's estate within the two year period of limitations. After the expiration of the statutory period, she qualified locally as ancillary administer. She then asked the trial court to grant her leave to amend her complaint to show her qualification as local administer, and have that qualification relate back to the commencement of the action.

The trial court denied her motion to amend and dismissed the complaint. The Court of Appeals affirmed. Initially, the Supreme Court of North Carolina denied the plaintiff's petition for discretionary review, but later reconsidered and decided to hear the case. In its final decision, the Supreme Court reversed the Court of Appeals and remanded the matter to the trial court, finding that the motion to amend and relate back should be permitted. the Court held, that, where the defendants have sufficient notice of the occurrence giving rise to the cause of the action, an amendment which does not substantially change that cause of action should be allowed to relate back to the commencement of the action, despite the intervention of the statute of limitations.[3]

The Court's opinion leaves no doubt that its interpretation of our Rules of Civil Procedure will adhere to the philosophy of the Federal Rules, that is, to insure that substance triumph over form. After considering alternative grounds for its decision, the court felt satisfied that its holding was *required* by North Carolina Civil Procedure Rules 15[4] and 17[5]. According to the Court, the legislature intended these rules to liberalize the system of pleadings and amendments in North Carolina.

Under Rule 15(c), an amendment may relate back to the beginning of the action if the amended pleading arose from the same transaction, occurrence, or series of transactions or occurrences as alleged in the original pleading. In addition, Rule 17(a) permits the real party in interest a reasonable time to ratify the action begun by one who lacked the capacity to sue. In relying on these rules, the Court determined that an amendment may be permitted even after the statute of limitations had passed. The correct test is whether notice of the transaction has been given to the defendant. Where the original pleading gives the defendant sufficient notice of the facts which gave rise to the complaint, the relation back of an amendment which does not substantially change that cause of action is not in conflict with the purposes of the statute of limitations.[6]

In adopting the new rules of Civil Procedure in 1969, the goal of the North Carolina legislature was "to provide a set of rules which would be just as simple, practical, and workable as the federal rules." The intent of the legislature was to adopt the philosophy of the federal rules as well: a case should be decided on its merits, and not according to procedural technicalities. For this reason, the role of pleadings should be limited to notifying the parties of the transaction called into question. North Carolina's Rules 15 and 17 reflect these aims by permitting an amendment to relate back so long as the defendant already has received notice of the complaint within the statutory period.[7]

The Supreme Court went one step further in *Burcl* and held that, "for relation back purposes, we shall treat supplemental pleadings filed pursuant to Rule 15(d) the same as amendments filed pursuant to other sections of Rule 15."[8] The Court quoted with approval the decision of the Fourth Circuit in *Davis v. Piper Aircraft Corp.*,[9] which stated:

> "For relation back purposes, the technical distinction between (a supplemental pleading and amendment of a former pleading) is not of critical importance, and is frequently simply disregarded by courts . . .a supplemental pleading should ordinarily be given the same relation back effect as an amended pleading . . .

In applying the "notice" test of Rule 15 to the facts in the *Burcl* case, it is apparent that the Court reached the proper result. There is no question that the defendants had timely and sufficient notification of the events upon which the claim was based. The amendment which merely changed the capacity of the plaintiff did not change the essential nature of the claim originally pleaded. The decision to permit that amendment to relate back to the commencement of the action did not conflict with the underlying purposes of the statute of limitations and was supported by both statutory interpretation and case law.[9]

Moreover, the *Burcl* court was obviously correct in its application of Rule 17[10] to the facts in this case. After the defendants' objection that the plaintiff was not the real party in interest, she complied with the statutory requirements granting her that

status within a reasonable time. Consequently, she should have been permitted to ratify the action or to substitute her new capacity. The great majority of courts considering this question have displayed a liberal attitude in allowing such claims to relate back. This application of the rule is also reinforced by a North Carolina statute granting a personal representative the power to ratify acts beneficial to an estate which occurred prior to his appointment.[11]

While the strength of the *Burcl* decision is grounded in its proper statutory interpretation, in its conformity with the case law of other jurisdictions, and in its equitable considerations, the true virtue of the decision is that it reflects the court's intention to implement, at long last, the spirit underlying the rules provided by the legislature more than a decade ago.[12]

As a result of the *Burcl* decision, plaintiffs and their counsel can rejoice in the fact that the North Carolna Supreme Court has emphatically declared that it will not allow otherwise meritorious claims to be defeated on technicalities. Since the adoption of the rules of civil procedure, the Supreme Court has charted a course of interpreting the rules so as to decide cases on their merits. In *Burcl,* the Court has again demonstrated its resolve to stay on course in the fair administration of justice.

Michael J. Lewis (B.A. 1967; JD 1970) is currently practising in Winston-Salem, North Carolina with the firm of Lewis and Bowden.

1. Portions of this article are derived from an unpublished Casenote, entitled *Burcl v. North Carolina Baptist Hospital, Inc.: Using the Relation Back Doctrine to Change Plaintiff Capacity After the Statute of Limitations,* by Virginia Smith, and are published here with the permission of Ms. Smith and the John Marshall Law Review.
2. These were *Sims v. REA Construction Co.,* 25 N.C. App. 472, 213 S.E. 2d 398 (1975); *Johnson v. Wachovia Bank & Trust Co.,* 22 N.C. App. 8, 205 S.E. 2d 353 (1974); *Merchants Distributors, Inc. v. Hutchinson,* 16 N.C. App. 655, 193 S.E. 2d. 436 (1972); and *Reid v. Smith,* 5 N.C. App. 646, 169 S.E. 2d 14 (1969). The present Rules of Civil Procedure were not applicable in *Reid.* The Court of Appeals did not discuss these rules in any of the other cases except *Merchant Distributors, Inc.*
3. Smith, *supra,* footnote 1.
4. Rule 15 provides, in pertinent part, as follows:

   (c) *Relation back of amendments.* — A claim asserted in an amended pleading is deemed to have been interposed at the time the claim in the original pleading was interposed, unless the original pleading does not give notice of the transactions, occurrences, or series of transactions or occurrences, to be proved pursuant to the amended pleading.

   (d) *Supplemental pleadings.* — Upon motion of a party the court may, upon reasonable notice and upon such terms as are just, permit him to serve a supplemental pleading setting forth transactions or occurences or events which may have happened since the date of the pleading sought to be supplemented, whether or not the original pleading is defective in its statement of a claim for relief or defense. If the court deems it advisable that the adverse party plead thereto, it shall so order, specifying the time therefor.
5. Rule 17(a) provides:

   No action shall be dismissed on the ground that it is not prosecuted in the name of the real party in interest until a reasonable time has been allowed after objection for ratification of commencement of the action by, or joinder or substitution of, the real party in interest; and such ratification, joinder, or substitution shall have the same effect as if the action had been commenced in the name of the real party in interest.
6. Smith, *supra,* footnote 1.
7. Smith, *supra,* footnote 1.
8. *Burcl,* 306 N.C. 214, at 228 (1982).
9. *Davis v. Piper Aircraft Corp.,* 615 F. 2d 606 (4th Cir. 1980).
10. Smith, *supra,* footnote 1.
11. G.S. 28 A-13-1.
12. Smith, *supra,* footnote 1.

When a Presiding Judge Dies...

By Karen Lorraine Duke

The recent tragic courtroom shooting which left a presiding judge dead resurrects a unique procedural problem: Should the substitute judge be compelled to order a new trial, or may he continue with the trial from the date on which the original judge was disabled? Federal Rule of Civil Procedure 63 applies to such a situation and reads:

> If by reason of death, sickness, or other disability, a judge before whom an action has been tried is unable to perform the duties to be performed by the court under these rules *after a verdict is returned or findings of fact and conclusions of law are filed,* then any other judge regularly sitting in or assigned to the court in which the action was tried may perform those duties; but if such other judge is satisfied that he cannot perform those duties because he did not preside at the trial or for any other reason, he may in his discretion grant a new trial.[1] (Emphasis Added)

Clearly, rule 63 allows a substitute judge to assume the duties of the disabled judge *after* a jury returns its verdict or a judge files findings of fact and conclusions of law. The rule is silent, however, as to the propriety of replacement if a presiding judge becomes disabled *before* a verdict is returned or findings of fact and conclusions of law are filed. This article will examine the latter possibility in light of *Whalen v. Ford Motor Credit Co.*[2]

In *Whalen,* plaintiffs filed a diversity suit in the Federal District Court of Maryland. The case stemmed from the Ford Motor Credit Company's (FMCC) alleged breach of a financing commitment to make take-out financing available to Towson Associates, developers of condominium units. After pre-trial motions had been heard,[3] the jury empanelled and three weeks of testimony taken, presiding Judge Blair died. FMCC moved for a mistrial citing Federal Rule of

1. **See generally** 7 J. MOORE, MOORE'S FEDERAL PRACTICE, ¶ 63.01 **et seq.** (2d ed. 1982); 6A MOORE'S FEDERAL PRACTICE AND PROCEDURE § 2922
2. 684 F.2d 272 (4th Cir. 1981) (en banc), **cert. denied,** _____ U.S. _____ , 103 S.Ct. 216 (1982).
3. **See, e.g.,** Whalen v. Ford Motor Credit Co., 475 F. Supp. 537 (D. Md. 1979) (motion for summary judgement denied by Judge Blair).

Civil Procedure 63. Judge Murray, the substitute judge, denied defendant's motion. After two more weeks of testimony the jury returned a verdict awarding Towson $4,294,746.

FMCC appealed this judgment to the Fourth Circuit Court of Appeals, claiming that the death of the original presiding judge necessitated a declaration of mistrial. A divided court disagreed with FMCC and affirmed the district court's finding that the question whether to proceed with the trial rested in the sound discretion of the district judge.[4]

Six months later, the Fourth Circuit sat *en banc* to reconsider this issue.[5] Although the ten judges were closely divided,[6] a majority of the panel adopted the dissent's reasoning in the circuit opinion.[7] The panel interpreted Rule 63 as providing for an express prohibition against substituting a judge (where all parties have not stipulated their consent) before a civil jury has returned a verdict.[8]

With respect to non-jury trials, the panel's reliance on a strict reading of Rule 63 to allow substitution only after findings of fact and conclusions of law have been filed is clearly justified: In bench trials, the presiding judge must hear testimony from defendents and witnesses; determine the credibility of each; analyze the weight of all evidence; and ultimately make specific findings of fact. Without presiding over the whole case a successor judge would not be able to effectively perform this fact finding process.[9]

In civil jury trials, however, the *Whalen* new trial mandate for judicial disability occurring before a return of verdict is neither required by precedent nor consistent with the goals of judicial economy. Judge Butzner's dissenting opinion in the *en banc* decision offers a solution which best effectuates the policies behind the Federal Rules. Permitting the successor judge the discretion to continue the pending trial reaffirms the broad discretionary authority afforded the district court judge regarding motions for mistrial. It also allows the judge to more efficiently administer to the increasing case demands placed on the federal court system.

A brief synopsis of the alternative interpretations of Rule 63 as set forth in the *Whalen* opinion can be summarized as follows:

Since the drafters of Rule 63 used the disjunctive 'or' in the phrase "after a verdict is returned or findings of fact and conclusions of law are filed," the majority summarily concluded that an application of Rule 63 would not differ for either a jury or bench trial. From this premise that jury and non-jury trials should be afforded similar treatment, the majority deduced that the available precedent[10] — all involving bench trials — also controlled jury trials. Accordingly, a new trial must be ordered if disability occurs before the return of a verdict. Additionally, the majority mechanically and strictly applied the rule by maintaining that the use of the word 'after' specifically negated 'before.' Finding no case authority permitting substitution before a verdict absent stipulation of the parties, the majority discarded the supposition that the drafters intended by their silence to permit such substitution or had inadvertently left a 'gap' in the rule. The majority insisted that Rule 63 squarely applied to the *Whalen* situation and required a new trial: thus, no "gap" existed in the rule which would authorize the trial judge to use his discretionary power to continue with the trial.[11]

The dissent, on the other hand, by employing the genesis of Rule 63,[12] submitted that the rule was not originally promulgated to bar substitution should disability precede the return of the verdict. Hence, the dissent argued that the scope of Rule 63 should not be expanded to include the implied prohibition which the majority engrafted. Bench and jury trials are inherently different and should be treated differently because of the rule's silence as to the procedure to remedy disability before verdict. The dissent did not treat the non-jury trial case precedent as controlling. Finding no affirmative legal requirement in the rule or case law, the dissent invoked Rule 83 discretionary power to authorize the substitute judge to complete the trial or to order a new trial. (Rule 83 simply states, "In all cases not provided for by rule, the district courts may regulate their practice in any manner not inconsistent with the rules.") District judges are thus allowed the discretionary power to fill "gaps" in the Rules such as the one existing in Rule 63. The dissent considered the duties that a successor judge performs after return of verdict to be similar to the duties of a presiding judge in a civil jury trial before a return of verdict. In short, the minority could adduce no principled reason to prohibit substitution under the *Whalen* facts.

Weighing not only considerations of judicial economy but also the protection of the fact-finding process, the dissent correctly concluded that Rule 83 discretionary authority most effectively discharges the procedural problem posed by disability before the return of a verdict. Judge Murray did not abuse his discretionary power in the *Whalen* case: Continuing the trial properly utilized the services of the jury, conserved expenses for both parties as well as the government, promoted the efficient administration of an overcrowded court docket, and prejudiced no one. (These concerns have become increasingly prevalent due to recent proliferation of litigation.) The costs incurred in litigation, particularly those associated with prolonged trial litigation, are substantial, notwithstanding the potential additional and duplicative costs associated with a new trial. Ramifications such as duplication of court time and effort in hearing a case *de novo* must be taken into account as well. The added taxpayer expense allocated to the empanelling of another jury is also relevant. Finally, the dissent's view allows a judge to expedite the business of the court in accordance with Rule 1's mandate which calls for the "just, speedy and inexpensive determination of every action."

These factors of judicial economy support the conclusion that a new trial should not be automically required in an instance where death or disability of the trial judge occurs before verdict is returned. Continuing the trial, however, could be inconsistent with the goals of efficient judicial administration since practical problems may be encountered if substitution is allowed. For example, in order for a substituted judge to satisfy himself that he can continue with the trial, a transcript of the trial record must be produced. The cost of obtaining such a transcript can be substantial — especially if the trial is long and complex. (The dissent fails to answer the important question of whether the court, the defendant, the plaintiff or a combination of both parties would be obliged to pay for the production of the record.) This record requirement could not only be an added cost to the parties, but could potentially be a totally unnecessary cost: After production of the record, the successor judge could then declare a mistrial in the interest of justice if he feels he can not adequately perform his duties. Under some circumstances, then, it could be more cost efficient to begin a new trial given the substantial time delay incurred waiting for the court reporter to physically reproduce the documents and the potentially staggering cost to the litigants. Futhermore, if the time needed to prepare and study the transcript consumes, for example, a period of two weeks, the jury may be "stale" after this hiatus. Also, they could be subject to external pressures and distractions during this delay, prejudicing them regarding the case.[13] Constitutional claims of right could stem from this inordinate delay but are beyond the scope of this article. In short, it is not sufficient to simply assert that in the interests of judicial economy a trial should proceed, for in all actuality, it may be more efficient with respect to all parties involved to order a new trial.

Granting the successor judge discretionary authority, therefore, empowers him to consider the unique characteristics of the case at bar and to weigh the aforementioned considerations against the possible time and cost ramifications of substitution. He then may adequately administer to the needs of justice.

The dissent's position is further strengthened when this procedural problem is analyzed in light of the purpose behind Rule 63: Protection of the fact-finding process is implicit in the Rule's express provision for substitution after a verdict is returned or findings of fact and conclusions of law are filed. When facts are found by a judge or jury before disability, the fact finding process is preserved; hence, substitution is permitted. As discussed, the majority and minority panel opinions diverge in applying the spirit, and opposed to the strict letter, of the rule

where disability occurs *before* the fact-finding process is completed. The negative inference the majority extracts from 'after' as to 'before' is logically valid in bench trial situations: If death or disability occurs before the judge makes his findings, then the fact finding process is obviously seriously jeopardized; thus, the substituted judge must declare a mistrial in accordance with Rule 63 standards. Conversely, in a jury trial, if the presiding judge dies before the return of verdict, the fact finding process *may or may not* be threatened. If the process is undermined by substitution, then a new trial should proceed. This determination should be committed to the discretion of the substituted district court judge. Considering the length of the trial, the complexity of issues, and the relative hardship to the litigants in beginning anew balanced against the judicial interests involved, the successor judge may grant or deny a motion for mistrial. This result is the most logical in terms of effectuating the purpose behind Rule 63.

In conclusion, employing Rule 83 discretionary authority to "fill the gap" existing in Rule 63, any substituted district court judge would be able to take into account all of the specific procedural and substantive characteristics of the case at bar and tailor justice accordingly by assuring the protection of the fact finding process. The majority in the *Whalen en banc* decision, however, ignored Rule 63's ultimate purpose through semantic maneuvers and a formal, mechanistic determination that substitution in all jury trial circumstances in which a judge becomes disabled before a verdict is returned is expressly prohibited. The dissent answered the question posed in the opening paragraph of this article more practically and justly by placing the decision in the sound discretion of the substitute judge. In this manner, the underlying purpose of Rule 63 and the ends of judicial economy may be served. As Chief Judge Winter suggested in his special concurrence,[14] to avoid any possible further confusion regarding the interaction of Rules 63 and 83, perhaps the Advisory Committee on Civil Rules and the Committee on Rules of Practice and Procedure should meet and discuss a revision or clarification of Rule 63.

Karen Lorraine Duke is a third year student from Atlanta, Georgia.

4. Whalen v. Ford Motor Credit Co., 32 Fed. R. Serv. 2d (Callaghan) 678, 682 (4th Cir. 1981).
5. Walen v. Ford Motor Credit Co., 684 F.2d 272 (4th Cir.) (en banc), **cert. denied,** _____ U.S. _____, 103 S. Ct. 216 (1982).
6. Judges Murnaghan, Russell, Widener, Ervin and Chapman comprised the majority. Chief Judge Winter concurred specially and filed opinion. Judges Butzner, Hall, Phillips and Sprouse joined in dissent. **Id.**
7. It is not coincidental that Judge Murnaghan authored the dissenting opinion below. For full text of opinion, see 32 Fed. R. Serv. 2d (Callaghan) 678, 682 (4th Cir. 1981).
8. 684 F.2d at 278.
9. See Thompson v. Sawyer, 678 F.2d 257, 268-70 (D.C. Cir. 1982). In **Thompson**, the court stated that if a trial judge in a non-jury trial becomes disabled before filing findings of fact and conclusions of law, a new trial is probably obligatory, absent consent of the parties to a decision without retrial. The court asserted that the premise underlying Rule 63 — that the successor judge may be unable to assess with security the significance or credibility of what this predecessor heard — is amply justified in complex litigation. Circuit Judge Mikva thus concluded that the successor judge did not abuse his discretion in ordering a new trial. See **also** Brennan v. Grisso, 198 F.2d 532 (D.C. Cir 1952); Ten-O-Win Amusement Co. v. Casino Theatre, 2.F.R.D. 242 (N.D. Cal. 1942). **Compare** Havey v. Kropp, 458 F.2d 1054 (6th Cir. 1972) (language of the court holding that the substituted judge was not "required as a matter of law" to file or be bound by an unfiled draft of the opinion by her deceased colleague creates an inference that discretion may be invoked); Lever v. United States, 443 F.2d 350 (2d. Cir. 1971) (successor judge could properly rule on motion for new trial where trial judge before his death made elaborate findings of fact and specifically noted his evaluation of credibility of witnesses); Lashbrook v. Kennedy Motor Lines, 119 F. Supp. 716 (Pa. 1954) (record was sufficiently clear and complete to warrant successor judge disposing of motions for new trial or judgment notwithstanding the verdict without hearing the case de novo; **In re** Garcia, 65 F. supp. 143 (Pa. 1946) (successor judge disposed of naturalization matter on the record after death of judge who had not made formal findings of fact and conclusions of law).
10. See, **e.g.,** Arrow-Hart, Inc. v. Philip Carey Co., 552 F.2d 711 (6th Cir. 1977) (successor judge in bench trial did not err in construing Rule 63 to require a new trial where predecessor had died after trial was concluded but before filing findings of fact and conclusions of law and since parties did not stipulate a unanimous consent to a new trial); Havey v. Kropp, 458 F.2d 1054 (6th Cir. 1972) (assigned judge was not required as a matter of law to file or be bound by an unfiled draft which appeared to be in final form of an opinion by deceased predecessor); Bromberg v. Moul, 275 F.2d 574 2d Cir. 1960) (Rule 63 is inapplicable since no findings of fact or conclusions of law were filed in bench trial before trial judge's death); Brennan v. Grisso, 198 F.2d 532 (D.C. Cir. 1952) (per curiam) (New trial ordered where the bench trial judge died after indicating that he would dismiss the complaint but had made no filings of fact or conclusions of law and had not ruled on plaintiff's motion for judgement); Girard Trust Bank v. Easton, 12 N.C. App. 153, 155, 182 S.E.2d 645, _____ (1971), **cert. denied,** 279 N.C. 393, 183 S.E.2d 245 (1971) (Rule 63 "contemplates only that [the substituted judge] may perform such acts as are necessary under our rules of procedure to effectuate a decision already made."); Ten-O-Win Amusement Co. v. Casino Theatre, 2 F.R.D. 242 (N.D. Calif. 1942) (even though prior to his untimely death the presiding judge had announced that judgment for plaintiffs was to be entered, since he had not signed the appropriate documents, the findings were not "filed" and a new trial was ordered given that Rule 63 was inapplicable.)
11. As will be discussed, the last sentence of Rule 83 in effect closes all "gaps" in the Rules by permitting judges, through their sound discretion, to remedy any unusual procedural problems that arise which were not foreseen in the drafting stages of the Rules. Rule 83: "In all cases not provided for by rule, the district courts may regulate their practice in any manner not inconsistent with these rules." For a general discussion of Rule 83, see Rule 83 and the Local Federal Rules, 67 COLUM. L. REV. 1251 (1967); Comment, The Local Rules of Civil Procedure in the Federal District Courts — A Survey, 1966 DUKE L.J. 1011; See **also** 12 C. WRIGHT, FEDERAL PRACTICE AND PROCEDURE § 3155 (1973).
12. 684 F.2d at 280.
13. The court in United States v. Sartori addressed this particular concern. 560 F. Supp. 427, 433 (D. Md. 1983).
14. 684 F. 2d. at 279-80.

Recent Faculty Law Review Articles

Taxation in the People's Republic of China: The System and Its Function, 46 **Albany Law Review** 776 (1983). Don R. Castleman.

Of Taxes and Other Casualties, 34 **Hastings Law Journal** 941 (1983). Joel Newman.

Five Into Thirteen: Lien Avoidance In Chapter 13, 61 **North Carolina Law Review** 849 (1983). Ralph Peeples.

"The Legislature Strikes Back," Exemptions, Part 2, 18 **Wake Forest Law Review** 1025 (1983). (Co-Author) Ralph Peeples.

The Regulation of Home Occupations Under Zoning Ordinances — Some Constitutional Considerations, 56 **Temple Law Quarterly** 49 (1983). Thomas E. Roberts.

State Taxation of Interstate Commerce: Quiet Revolution or Much Ado About Nothing?, 38 **Tax Law Review** 127 (1982). David F. Shores.

S.B.A. Distinguished Alumni Speaker Series

Eddie Knox

Eddie Knox hosted the Wake Forest S.B.A. Distinguished Speakers Series on January 18, 1984. The former State Senator, two-term Mayor of Charlotte, N.C. and North Carolina gubernatorial candidate shared his perspective of lawyers and their role in the community.

Knox, who graduated from Wake Forest in 1963 in the top 10% of his class, stated, "Being a lawyer, being self-employed . . . is one of the greatest things I've ever had a chance to do."

Knox expressed his concern, however, with society's sudden complaints against lawyers. He suggested that explanations for these complaints are to be found in the public's concern with frivolous lawsuits, the unwillingness of lawyers to disseminate information and the inaccessibility of attorneys: "(the) public finds itself trapped by incompetence" and that the profession must "answer or run from it."

Knox firmly believes lawyers should answer the questions being raised. To do so, those in the profession "should speak, act, and behave as credible lawyers," because an attorney's involvement in the public sector is important.

Knox encouraged the prospective lawyers in the audience to "build (their) practice by being around people." By knowing the people of a community, the attorney becomes "localized" and in reality this is important from a "credibility standpoint."

"Being a lawyer," Knox said, "is special and unique. There is always something to give back." The "personal pride of contribution" may be achieved in a number of ways. Knox pointed to work done on a pro bono basis, civic involvement and political activism as examples.

Addressing the issue of political activism, Knox stated, "There is something to be said for having lawyers in the process of how laws are made." Unfortunately, in the past ten years there has been a decrease of lawyers in the N.C. House and Senate and as a result, a decrease in the impact lawyers have had on the process of lawmaking. Knox compared the 68 lawyers holding office in the House and Senate in 1971 to the 36 lawyers in the House and Senate in 1981.

Although encouraging political involvement, Knox advised the law students to be "lawyers first and to earn a living. Don't go out and just be a politician . . . be able to pay your way." Through work and public service "people begin to know you." Knox believes there is "nothing better than being identified with a good reputation in the community."

At the end of his speech, Knox opened the floor to questions — most of which focused on his own political career, opinions and beliefs. The wide variety of questions ranged from inquiries as to Knox's opinion on the proposed East Carolina Medical School to his relationship with the PTL Club.

The Democratic gubernatorial hopeful spoke at length on two commonly debated issues: capital punishment and gun control.

Knox stated that he did believe in capital punishment. As Governor, he would review each circumstance on a case by case basis. He added, however, that only an "extraordinary case" would compel him to overturn a decision made by a twelve person jury.

On the issue of gun control, Knox remarked, "We (society) must try collectively to do something about crime." Knox is not against the ownership of a gun. He, himself, is a hunter. Knox does feel that if a pistol is to be taken away from the home or business, however, a person should need the same permit as that necessary when the gun was purchased.

Knox expressed optimism on the State of North Carolina. He believes the state is in a "major transition" of growth. Through his experience as Mayor of Charlotte, he thinks that city "bears the pain of moving ahead because of its size" and that other cities will follow.

In conclusion, Knox explained his views on the Democratic party in North Carolina; he does not see a big Republican movement or a demise of Democratic participation in state elections. "Traditionally," said Knox, "the Democratic party has provided good leadership."

Billings and Lee Update Family Law Series

Wake Forest Professor Emeritus Robert E. Lee and Professor Rhoda Billings are presently working on a supplement to Dr. Lee's respected treatise, **North Carolina Family Law,** 4th ed. This update of his four-volume series has been in the making for the past three years and is due for publication early this spring.

Dr. Lee is a recognized authority on North Carolina domestic relations law, and Professor Billings has had four years' experience in dealing with this area of the law from behind the bench as a District Court Judge for Forsyth County. Their corroboration on this most recent update of Dr. Lee's treatise will undoubtedly continue the fine tradition begun when Dr. Lee, then a professor at the Wake Forest School of Law, put his lecture notes into published form for the first edition.

There are plans to keep the work current through pocket supplements. These supplements will be prepared jointly by Dr. Lee and Professor Billings and will be published at irregular intervals.

The coming supplement is somewhat overdue, as a result of the sweeping statutory and common law changes that have occurred in this area of North Carolina law in recent years. Professor

Billings commented that this "constant change in domestic law" is by no means restricted to North Carolina but is a response to the change in modern societial attitudes toward marriage and the family that have swept the nation. She also observed that these trends are also evident in Great Britain and the Scandinavian countries.

In North Carolina, these changes have largely taken the form of two or more legislative enactments. The traditional grounds and defenses for divorce have been replaced by a one-year separation scheme, commonly known as no-fault divorce. The second major legislative change in North Carolina domestic relations law is the introduction of equitable distribution concepts for the division of marital property. Additionally, there have also been changes in the standing requirements and priority rules in child custody disputes.

Although family law is largely a creature of statute, these legislative enactments have been accompanied by significant judicial changes as well. Recently, the North Carolina courts have taken a more active role in the enforcement and modification of separation, alimony, and child support agreements. The goal today is to promote voluntary compliance whenever possible and reduce the adversarial nature of the marriage dissolution process.

Given the many recent changes in North Carolina family law, the forthcoming supplement to Dr. Lee's treatise will prove to be a useful tool to the domestic law practitioner. The goal, said Professor Billings, is "to present (these principles) in as simple language as accuracy will permit."

(Dr. Lee and Professor Billings were profiled in the Fall 1983 edition of the **Jurist**.)

New Clinic Director: James Taylor

After serving for 31 years in the Judge Advocate General's Department of the Air Force, James Taylor, Wake Forest's new Clinical Director, has developed some strong views on the value of clinical legal education.

"Having worked with many young lawyers just coming out of law school," said Taylor, "I've been able to see that clinical education is important in two ways. For one thing there is a better maturity on the part of those who have had that training. And secondly, there is a sense of confidence in their manner."

Taylor believes clinical experience is an integral part of a lawyer's education, and he stresses that professionalism is a necessary quality to acquire in the overall law school training.

"To me, professionalism is the commitment to excellence characterized by the knowledgable, prompt, self-disciplined performance of duty," said Taylor. "I'm not saying you can't have this without clinical education, but if I were going through law school today I wouldn't think of passing up that opportunity."

The new professor is quick to add that experience in clinic work alone will not guarantee a professional demeanor. There must be strict attention to the academic education. "Clinic work is not more important than academics," he said. "It is part and parcel of it. One of the risks of clinical education is that people almost get too excited and say 'at last I'm practicing law,' as if school were behind, and that is simply not the case. First, you have to know the subject."

Leaving the Pentagon as the Deputy Judge Advocate General to teach at Wake Forest is somewhat of a homecoming for Taylor. He was born in Rural Hall and grew up in Yadkin County. Later he attended U.N.C.-Chapel Hill for undergraduate and afterwards for law school. Taylor says he still maintains his enthusiasms for ACC basketball and remains a Tarheel fan to the end. "Of course I'm a Wake Forest fan, too — except when they play Carolina," he added quickly.

Asked his impressions of Wake Forest thus far, Taylor said, "Wake is a well-respected school. It has changed into a national university and when I came here I was mildly surprised by the number of students from other states." In addition, Taylor feels Wake has "a first rate faculty, and that the attitude of the students has been just great. I also like the size of the

school," said Taylor. "It's small enough to keep the advantages of association with people and at the same time get a good legal education."

Taylor is a deep believer in the clinical program and feels Wake is particularly fortunate because of the cooperation it receives from the Forsyth County Bar. "There is no bar association that I have ever seen that is more cooperative with a school and its efforts than this bar association."

The new professor's aims in this program are admirable. "I want to teach well. I want, above all else, to have students who leave the clinical program here to be able to say that the clinical program helped them. And I hope that they will remember that I had something to do with that process."

Placement Office Activity

The Placement Office has had a very busy and successful winter. As of the 15th of February, 87.5% of the class of 1983 has found law-related employment. Seventy-nine members of the class are currently working for firms, fourteen are serving judicial clerkships, nine are working with corporations, six are with the Judge Advocate General's Corps (JAGC), and twelve are working for state or federal governments. Six others are continuing their education.

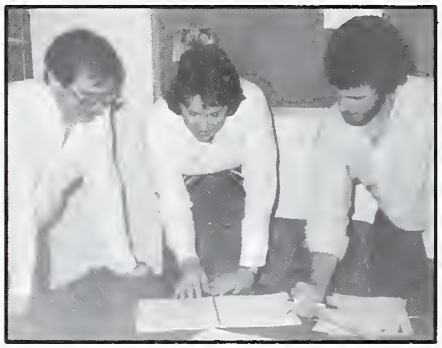
One-third of the class of 1984 has obtained employment. Dianna Clark, the Placement Officer, noted that interest in the JAGC is increasing. Eleven members of the class of 1984 will serve with the Marine JAGC, two will serve with the Navy, and several others are still waiting to hear from the Army JAGC.

Eight class members will serve in judicial clerkships; six of these will be within North Carolina. Two others will be working for corporations and the remainder of those already employed have found positions with law firms, both in and outside of North Carolina. In addition, 21% of the second year class has found work for the summer of 1985.

Clark is pleased with the number of firms and corporations which held interviews at Wake Forest this year. Eighty-five individual firms and corporations collected a total of 2,926 resumes and conducted 1,391 on-campus interviews. Additionally, sixty-five other firms and corporations requested that resumes be forwarded to them. Other potential employers had notices posted on the Placement Office Bulletin Board, asking interested students to apply directly to the firm or corporation. Several offers were made as a result of these methods.

The Craven Moot Court team of **Parker Herring** (2-L), **Donna Parker** (2-L), and **Clay Custer** (2-L) travelled to Chapel Hill, N.C. to argue in a competition involving thirty-two teams, from across the country. The team won Best Brief.

Third year moot court members, **Sean Gill** (3-L), **Tom Soderburg** (3-L), and **Brian Nugent** (3-L), competed in the Wagner Labor Law competition in New York City.



The team of **Frank Pergolizzi** (3-L), **Nancy Borders** (2-L) and **Kevin Carlisle** (2-L) were quarter finalists in the William and Mary Competition in Williamsburg, Va. They received the best brief award.

Brian Washington and **Mary Wilson** won the regional Frederick Douglas Competition in March. The finals are in St. Louis, MO.

(Not pictured) Stan Atwell (2-L), **Alan Toll** (3-L), and **Mike Maizes** (3-L) went to Buffalo, New York to compete in the Mugel Tax Competition.

S.B.A.

Throughout February, several Wake Forest law students volunteered their Saturdays to assist persons in filling out their income tax forms. The S.B.A. worked in conjunction with the Volunteer Income Tax Assistance (VITA) program in bring ing this service to Winston-Salem.

Concerned with academic issues, the S.B.A. has also formed a twelve-member Academics Committee. The purpose of the committee is to propose methods of developing a student's skills in preparing for exams and handle other academic concerns of students.

The S.B.A. has sponsored several winter social events: a ski trip and a co-ed basketball tournament were scheduled during the month of February.

The traditional festivities of Law Day were held on March 24, 1984, at the Bermuda Run Country Club. Senator William Proxmire of Wisconsin was the scheduled speaker.

An ongoing and active organization, the S.B.A. recently increased their membership in the American Bar Association Law Student Division. Currently, 59% of the student body are members.

S.B.A. and Alumni Set 1L Visitations

The Lawyer Alumni Association and Student Bar Association are administering a program which brings law students and attorneys together on an individual basis. The student-alumni visitation program which began in 1983, allows first-year law students to visit with an alumnus for one to three days during the law student's spring break. The program emphasizes first-hand observation of the attorney or judge at work, rather than research or clerical work.

Ron Spivey, a student who visited North Carolina Supreme Court Chief Justice Joseph Branch last year, said of the program: "It was very useful to have the practical exposure beyond the classroom and to see how the law is really applied."

Winston- Salem attorney Gary Smithwick commented, "It gives students an opportunity to see what a lawyer does in the office . . . It is probably beneficial for the lawyer because he or she gets to meet someone who looks at things from a fresh perspective."

Lawyer Alumni Association President Max Justice reported that he had talked with several attorneys who hosted student visits last year, and that they all were extremely pleased with the program.

Two Proposals for Juvenile Justice

Something for Amelia

By David P. Shouvlin

The television production, "Something for Amelia," was an earnest effort to expose delicately the serious and troubling subject of incest. Beyond the acclaimed acting, the film revealed our most incongruous response to an allegation of sexual abuse: the victimized child is taken to the police station and questioned, and taken away from the home. Incest is the only crime of which I am familiar where the victim may be "imprisoned" while the offender may walk free. Through no fault of her own, the child is ripped from her home and at the most critical period of her young life, benefit of the love and support her family can give.

North Carolina recently adopted legislation to aid victims of domestic violence. N.C. Session Laws 1979, c.561. Through this legislation, victims (most often women) are given several remedies for protection to which a victim may seek emergency relief and a temporary order granting the abused spouse possession of the residence to the exclusion of the offending spouse. In addition, an all-purpose protective order and an order for support are available. The temporary order, granted upon application either by motion or complaint, is in effect for 10 days until a preliminary hearing on the issues is conducted. At that hearing, a Court can continue such orders as were issued *ex parte*.

Those *ex parte* orders may be granted on good cause shown based upon a *mere allegation*.

No less vulnerable than the abused spouse is the abused child. Expulsion from the home, from her familiar surroundings, and separation from her siblings is an unjust and harsh response to her suffering. When she most needs the comfort of the family she is banished from them; this exile often infuses the child with grave guilt.

Turning the accused perpetrator out of the home clearly is a more appropriate response. The adult has the financial ability to maintain an existence away from the home. He also has the emotional equipment to contend with the charges made against him. And if, as studies show, the child's allegations are true, his removal from the home reflects a just response.

I recommend, therefore, the following proposed statute, which closely resembles the Domestic Violence Act. Its adoption would serve to provide much needed support and protection for our children who are victims of abuse.

1. All allegations of physical and sexual abuse shall be reported to and reviewed by the Department of Social Services;
2. The Department of Social Services shall investigate all allegations of physical and sexual abuse; if the Department of Social Services shall believe it to be in the best interests of the child, Department of Social Services shall file a motion with the District Court, which will have exclusive jurisdiction over this matter;
3. The Department of Social Services may move the Court for emergency relief if it believes the child(ren) is (are) in danger of physical or sexual abuse. A hearing shall be held within seven (7) days of the filing of the motion;
4. Prior to the hearing and upon a finding of good cause, the Court shall enter such temporary orders as it deems necessary to protect the victim from acts of abuse;
5. The Court may grant any protective order to bring about a cessation of abuse, including the following:
   (a) Direct the offending party from such acts;
   (b) Grant to the non-offending parent or adult custodian possession of the residence or household together with the victim, and to the exclusion of the offending party;
   (c) Require the offending party to provide the victims and non-offending parent or adult custodian suitable alternate housing;
   (d) Order the eviction of the offending party from the residence or household and assist the victim in returning to it;
   (e) Order the offending party to provide support for said victim and to the non-offending parent, or adult custodian, and the victim's siblings;
   (f) Order the offending party to refrain from any contact, either direct or indirect, with the victim;
6. All proceedings under this act shall be confidential; no findings reached shall be admissable in any criminal action without the express waiver of the alleged offending party;
7. (a) A violation of any order issued pursuant to this article shall constitute contempt, and the offending party shall be liable for such other civil or criminal actions as are appropriate;
   (b) The Department of Social Services shall file a motion for contempt based on violation of the court's order and

the court shall issue an order directing the offending party to appear within 48 hours and show cause why he should not be held in contempt of court;

8. The remedies provided by this chapter are not exclusive but are additional to remedies provided under Chapter 7A and elsewhere in the General Statutes;

Upon an allegation of physical or sexual abuse, particularly the latter, any imposition upon the alleged offending party is at most inconvenience. For some fair period of time while the allegations are being investigated the offending party will be forced to inhabit other quarters. If the allegations prove to be true, the offending party may be sentenced to prison; should the allegations go unsubstantiated, the alleged offending party may return home. The Department of Social Services will at least be alerted to a troubled situation and thereby may be able to offer effective care and counseling to the family.

To protect other rights of the accused, the allegations, responses, admissions and other testimony may not be used in criminal proceedings, thereby allowing the Court to have a full opportunity to hear the bases for the allegations and such responses as are given in order to inplement appropriate relief.

While the remedies provided within the statute offer no great solace to the victimized child, they may lessen the trauma and associated guilt the child will likely feel. They will stand as a symbol that we revere our children.

Expand the Jurisdiction of the Juvenile Court

By David P. Shouvlin

At the core of the recommendations contained in this article is a major presumption that in many, if not most, cases, the jurisdiction of adult criminal court for 16-and 17-year-old offenders has virtually no deterrent, rehabilitative or therapeutic effect. I cannot cite extensive studies to underline my presumption; I base this presumption on my past experiences and on assorted comments gathered over the past several years.

In North Carolina, the jurisdiction of the juvenile court is set forth in G.S. 7A-523. Generally, all young people under the age of 16 who commit asocial acts fall within the province of the juvenile court. The juvenile court has exclusive jurisdiction over status offenders, those who run away from home or who are truant, are labeled undiciplined. Juvenile delinquents, those who commit acts that would constitute crimes if they were adults, come within the original jurisdiction of the juvenile court. Felony offenders fourteen years or older may, however, upon a finding of probable cause, be bound over to the Superior Court to be tried as an adult. Young people 14 or older who have been charged with a capital crime, upon a finding of probable cause, must be bound over to the Superior Court G.S. 7A-608.

North Carolina is one of only four states where the jurisdiction of the juvenile court is limited to youths under sixteen. The others are Connecticut, New York and Vermont. Only eight other states limit the jurisdiction of the juvenile court to those under seventeen. The vast majority of states (39) and the federal courts include young people until their eighteenth birthday within the juvenile court jurisdiction. See, Hamperian, *Youth in Adult Courts: Between Two Worlds* (1982); *Report to the Nation on Crime and Justice: The Data 61* (1983).

At issue, however, is not whether North Carolina joins the majority of states maintaining the broadest jurisdiction of the juvenile court, but whether, by limiting the juvenile court jurisdiction to youths under sixteen, North Carolina has adopted the most effective tool to reduce crime committed by youths.

Professor James Q. Wilson, the eminent criminologist from Harvard, recently completed a revised edition of his work *Thinking About Crime* (1975). In the September, 1983 issue of *The Atlantic Monthly,"* Professor Wilson focused his study on deterrence. Wilson concludes that "the rate of crime is influenced by its costs . . . The crime rate can be lowered by increasing the certainty of sanctions . . . I believe the wisest course of action for society is to try to increase the benefits of noncriminal behavior and the costs of crime simultaneously, all the while bearing in mind that no feasible change in either part of the equation is likely to produce big changes in crime rates." *Atlantic*, pp. 83-84.

We may be able to deter crime by making the sanctions against it "sufficiently swift and certain." The length of time or harshness of the penalty may not be as critical as being caught, convicted and punished. *Atlantic*, p. 84.

In addition to swift and certain punishment, perhaps the greatest deterrence to committing crime is the moral imperative not to do wrongful acts. For most of us, even as young people, the negative stigma attached to one who commits unacceptable behavior constrains us from breaking the law. Deterrence and an appreciation of the moral imperative should positively affect all but the most incorrigible young offender.

Raising the jurisdiction of the juvenile court to include youths up to the age of eighteen may aid us in our effort to reduce crime.

The juvenile court has at its disposal a vast array of responses to delinquent behavior manifested by a young person. It can incarcerate, place on probation, require to make restitution or perform community service, insist upon fair effort in school and seek many other responses that befit the behavior. Through the juvenile court the punishment may be swift, certain and to a fair degree, sensitive to the needs of the offender. The adult criminal court necessarily is limited in its response to crime. Courts may be reluctant to grant a specially tailored sentence to a young offender in the bitter atmosphere of the crowded criminal court. The manageable decisions often are acquittal or conviction with some jail time attached and probation. Punishment may be neither swift nor certain, and infre-

quently responsive to the offender's needs.

With extensive and varied alternative punishments at hand, the juvenile court can impose a penalty to fit the behavior of the offender. Instead of placing a teenager with older, often hardened adult criminals, the Court can select a placement or a probation schedule that might instill some moral conscience so as to deter future crime. Rehabilitation of a young offender through such a process is possible. Rehabilitation of a young offender confined with adult criminals is less than likely.

The juvenile court needs to punish the youthful offender and must not waiver in that punishment if crime among youths is to be deterred. To defeat recividism the court must impose those sanctions that will allow the offender to move beyond his criminal mentality. The adult correctional system cannot, with any assurance, accomplish that objective.

David P. Shouvlin (B.A. 1974, J.D. 1979) practices with Vernon Glenn in Winston-Salem.)

Tash Views the Juvenile Court System

By Rhesa Hipp

Despite seven years of encountering countless delinquent, undisciplined, abused and neglected juveniles in the courtroom, Gary B. Tash remains optimistic about young people. As a District Court Judge for the Twenty-First District, Forsyth County, he considered juvenile court to be "my greatest challenge and responsibility." Upon retirement from the bench in 1983, he became a partner of the law firm of Alexander, Wright, Parrish, Hinshaw and Tash in Winston-Salem. No longer an arbitrator, Tash now pursues his commitment to juvenile justice as an advocate. On May 19, 1983, he was presented the Ruth Van Hoy Service to Youth Award by the Forsyth County Juvenile Justice Counsel in recognition of his achievements.

Tash gave several reasons for his interest in juvenile law. He has always liked young people, an interest evidenced by his participation as a national officer in his undergraduate social fraternity while attending the University of Virginia and in his church activities. In addition, he said that he is "flattered when a young person asks for advice." Tash points out the pleasures of "seeing the future in the lives of our youth." His involvement with juveniles both professionally and personally reflects this optimism. "I have never seen a young person that I believed had been destined to violate the law," he once wrote. According to Tash, "It is in juvenile court, in dealing with impressionable young people, that the system possesses the best opportunity for truly achieving rehabilitation and encouraging future socially acceptable behavior."

A variety of factors contribute to juvenile delinquency, Tash observes, but the most significant is an unfavorable family situation. He is most concerned about parents who ignore their children or lack sufficient skills in rearing them. In the courtroom Tash occasionally encountered thirteen- or fourteen-year-olds who turned to crime simply to gain attention from inattentive or uncaring parents. Tash stated, "Adverse attention to them is better than no attention at all." Aggravating the situation caused by family problems, juveniles are becoming increasingly more streetwise. "Today more young people are not only committing crimes, but they are committing more serious offenses at younger ages." When Tash first became a judge in 1976, the most frequent delinquent act encountered in juvenile court was concealment of merchandise, a misdemeanor. At present, the most prevalent offense is breaking and entering, a possible felony.

Tash firmly believes that incarceration will not resolve juvenile offenders' problems. "The best way to prevent it is to rehabilitate first-time offenders," he advised. Although he acknowledged that temporary custody in a juvenile home can often give a juvenile a taste of what incarceration is like, rehabilitation is simply not accomplished by sending the offender to training school or prison. "More than likely the juveniles committed to these institutions will learn more sophisticated ways to break the law from the more experienced inmates," he said. According to Tash, over eighty percent of the adult inmates in maximum security at Central Prison in Raleigh spent time in training schools as juveniles. He also cited studies concluding that a period of incarceration exceeding three years is actually counterproductive. These figures are particularly significant in North Carolina, which ranks first among the states in the percentage of its population in prison. Of the approximately 18,000 inmates in our state prison system, about 2,800 are under 21 years old.

Tash looks to community support, manifested in its commnity-based alternative programs, as the solution to the problems incarceration cannot cure. He feels that these programs embody the goal of the juvenile justice system: to rehabilitate the youthful offender and prevent him from becoming another statistic in the "revolving-door syndrome of our criminal justice system." Tash praised the Forsyth County Court Volunteers Program for providing proper adult role models to assist troubled youths in building self-esteem. "Eighty-one percent of the young people completing the Court Volunteer's one-on-one program have not returned to court as a result of committing a serious offense," he remarked.

Gary B. Tash is currently a partner of the Winston-Salem law firm of Alexander, Wright, Parrish, Hinshaw and Tash.

He also commended the "Work and Earn It" program which, in conjunction with the local business community and other volunteers, tries to achieve restitution by providing work opportunities for first-time juvenile offenders. "By participating in this program, the juvenile is forced to confront his victim and the consequences of his act. He benefits from hard work, job training and a chance to pay his debt. The victim may not only receive financial relief but also emotional satisfaction in recognizing that the 'criminal' is, in reality, a child," Tash explained.

When asked to comment on any weaknesses in the new Juvenile Justice Code (effective January 1, 1980), Tash expressed concern over limitations placed upon the juvenile court in dealing with adjudicated undisciplined children, known as status offenders. N.C.G.S. § 7A-517 defines an undisciplined juvenile as one "less than 16 years of age who is unlawfully absent

(cont.)

from school; or who is regularly disobedient to and beyond disciplinary control of parents, guardians or custodians; or who is found in places where it is unlawful for a juvenile to be; or who has run away from home." The new Juvenile Code and its predecessor, House Bill 456 (effective July 1, 1978) eliminated court ordered probation and commitment to training school as dispositional alternatives for status offenders.

"While such noncriminal juvenile offenders do not belong in juvenile institutions for delinquents," Tash said, "the lack of these alternatives gives the judge no control authority over the juvenile who needs to be threatened with a penalty to deter subsequent undisciplined behavior. In short, there is nothing a juvenile court judge can do to help parents of status offenders sixteen years of age or older who seek the court's assistance in controlling their undisciplined children."

One weakness of the new code was particularly frustrating for Tash as a district court judge: that was the juvenile court's lack of authority over uncooperative parents. N.C.G.S. § 7A-650 gives a judge authority to require parents to pay for the juvenile's support or treatment, or to require transportation for the juvenile to keep an appointment with a court counselor, but "what the code fails to provide for, however, is judicial authority to require parents to attend family counselling sessions," Tash noted. Tash thinks district court judges need contempt authority over parents who refuse such counselling: "Since the juvenile court is committed to diverting cases whenever possible, many of the situations resulting in the filing of a petition involve uncooperative parents." The North Carolina General Assembly limited judicial authority over parents to those situations enumerated in § 7A-650 because of concern for their due process rights. According to Tash, allowing parents the right to counsel in all juvenile court proceedings (a right they presently do not possess) would alleviate any due process violations and provide judges with the contempt authority they need.

"Despite its limitations, the new Juvenile Code is a vast improvement over the original 1919 legislation," Tash observed. Additionally, increased public awareness has corrected many injustices. Tash noted, however, that public ignorance still persists.

Traditionally, the legal community placed little emphasis on juvenile matters. Tash pointed out that in 1976, the state employed only nineteen certified juvenile law enforcement officers. Also, as of 1967, none of the state's law schools offered a course in juvenile law. (Presently, Wake Forest Law School offers a two credit-hour juvenile law course taught by Larry S. Bowman). Tash suspects that the confidentiality of the juvenile court system, particularly its closed hearings which prevent access by the public, works against the system. He stops short, however, of endorsing open hearings to promote public understanding. He believes that, "It is advantageous to the juvenile to preserve this confidentiality in order to remove the deterrence objective present in adult court proceedings and to concentrate on what is in the best interests of the juvenile."

Tash questions whether many attorneys actually do have the best interests of the juvenile in mind. Attorneys perpetrate the stigma of "kiddie court" when they are late for the proceedings or are minimally prepared. Attorneys also frequently avoid practicing juvenile law because it is not as lucrative as other areas. Tash advises that attorneys who deal with juvenile clients should anticipate these obstacles and refrain from being deterred by the legal community's lack of respect for juvenile law.

In summary, in his perceptions of a juvenile law practice, Tash remarked, "If you desire to practice law to help people, you won't find a more rewarding practice or clients upon whom you will have a more lasting effect." For Tash, the rewards of his commitment to juvenile justice have been great. Hopefully, others in the legal professional will undertake a similar commitment and share Tash's optimism for the future of our youth.

Rhesa L. Hipp is a second year student from Fayetteville, North Carolina.

Alumnus Installed as President of the North Carolina State Bar

By Sam Morley

Clifton W. Everett, Sr., a graduate of Wake Forest Law School, was installed last October as president of the North Carolina State Bar. His term will run until October of 1984.

Not to be confused with the North Carolina Bar Association, the North Carolina State Bar is the regulatory board for the legal profession in North Carolina. It is responsible for admission to the bar, discipline for unprofessional conduct, prescribing rules of ethics, and policing unauthorized practice of law. Unlike the N.C. Bar Association, a voluntary organization, membership in the N.C. State Bar is compulsory for all attorneys licensed to practice in North Carolina. As Everett explained, "The North Carolina Bar Association is engaged more in continuing legal education and legislation whereas the State Bar is a regulatory body formed under Chapter 84 of the North Carolina General Statutes."

After graduating from Wake Forest University with an A.B. degree in 1938 (Magna Cum Laude) and a J.D. degree

in 1941 (Magna Cum Laude) Everett began his law practice in Dunn, North Carolina. Soon thereafter, Everett moved his practice to Bethel and in 1968 became a founding partner of the firm Everett and Cheatham.

Everett's career has been highlighted by community service and a strong interest in education. He was president of the Pitt County Bar Association in 1949 and from 1973-76 served on the Board of Governors of the N.C. Bar Association. In 1961, Everett was elected to the N.C. House of Representatives and served as Mayor of Bethel from 1956-61. He was a member of the Bethel School Board from 1954-1970 and has been a member of the Pitt Community College Board of Trustees since 1963, serving as Chairman of the Board since 1977.

Everett takes pride in his profession as an attorney finding his work not only enjoyable but self-fulfilling and satisfying. Everett realizes, however, that not all attorneys look at the profession in the positive light he does. He is discomforted about members of the legal community taking a pessimistic view of the legal profession. Why all this gloom and doom among members of the profession? Everett explained, "Just as the news media, certain religious groups, and other organs for the dissemination of information have increasingly denigrated the U.S. and all its institutions for so long and to such an

extent that the whole has accepted their reports as true, the legal profession has suffered the same fate from those same detractors." Everett believes that with the increase in number of attorneys the profession has high visibility and instances of misconduct by a small percentage of attorneys is magnified by the media and other groups.

Everett is doubtful that this negative public opinion can be changed by the attorney, but he is not disheartened. Everett suggested, "Lawyers must fortify their convictions that as an article of faith the lawyers place in our society is fundamental to the preservation of our form of government." Everett feels this realization coupled with the belief that "the legal profession and independent judiciary are the only providers of the rights and remedies of the public" should cause attorneys to feel essential to the health of our society.

As to the young law student about to enter the legal profession, Everett, looking back on his 43 years of practicing law, offered this practical advice, "Hard work, competent service promptly rendered at a reasonable cost will result in a successful law practice, and when done within the bounds of the code of professional responsibility will attract the affection and esteem not only of clients but of community and colleagues."

Sam Morley is a third year student from Pensacola, Florida.

Alumnus Installed as President of the North Carolina Academy of Trial Lawyers

By Sam Morley

James R. Van Camp, a Wake Forest Law School alumnus (class of '65), was installed recently as president of the North Carolina Academy of Trial Lawyers. He has been vice-president of the organization since 1977.

The NCATL is a voluntary organization of trial lawyers offering both law students and practising attorneys a variety of programs to further their courtroom skills. One program sponsors experienced trial attorneys to teach litigation techniques in several of the law schools in the state. Academy members are also benefitted by seminars put on by NCATL itself or in conjunction with the Wake Forest center for Continuing Legal Education. It also is responsible for a long list of legal publications with subjects ranging from domestic relations to proper methods in trying capital punishment cases. As Van Camp says, "The focus of the NCATL is on doing everything to upgrade and train attorneys throughout state in litigation skills."

Van Camp's ability as a trial lawyer has shown itself in a number of ways. He is a popular speaker on litigation techniques, and is frequently invited to lecture throughout the country for the Association of Trial Lawyers of America. In 1982, he represented the defendant receiving the largest jury verdict in a personal injury case in North Carolina. He has also co-authored a book on North Carolina criminal procedure forms and has written several articles on preparing the criminal defense case.

Van Camp himself is personally involved in educating attorneys and law students about the art of advocacy. He is a regular judge in the Wake Forest Law School trial advocacy class, offering biting but memorable criticism to those law students he judges. His involvement in educating attorneys is a reflection of his own enthusiasms for his profession. Asked what initially sparked his interest in trial work as a young attorney out of law school, Van Camp is not elusive: "Trial advocacy was the best grade I ever received in law school." However, Van Camp explains, there is another reason why he finds the courtroom so alluring: "At the trial level you're dealing with real live issues. Not only do you have personal contact with the client, you are in contact with the jury. Arguing the case to twelve disinterested citizens, that's the real excitement of the law." While Van Camp labels trial advocacy a "tremendous calling," he also cautions that it's not for everyone. Not only are the hours long (Van Camp typically puts in 12-15 hours on weekdays not to mention weekends) but trial work is a daily effort, something that can't be learned from three years of law school. As Van Camp states "Each trial, each client is a different challenge and the attorney must be prepared to work at a range of skills to meet those different challenges. It's a daily pursuit of excellence."

Van Camp also believes trial work is best suited for those who feel challenged stepping into a courtroom where there is an inherent chance of losing the case. Van Camp labels this the "risk factor" of trial work. As Van Camp explains, "Those who enjoy the challenge at risking failure in the courtroom where mistakes are obvious and feel a commitment to meet that risk, find advocacy the most exciting." The challenge of the courtroom "risk factor" coupled with hard work on a daily basis, is what Van Camp is convinced makes a successful advocate. However, he points out that a third attribute that a trial attorney, facing a judge and twelve strangers in the jury box, might find handy. "A trial attorney," Van Camp notes, "must have a reasonably good-sized although controllable ego."

Telethon "Reaches Out" to Alumni, Raises $42,500

What: 1984 Law Telethon

Who: S.B.A./Wake Forest Lawyer Alumni

When: January 23-26, 1984

Why: To support the Law School's operational budget and endowment

How: Eighty-three students placing 1282 calls to lawyer alumni

The above represents the successful outeome of the 1984 Law Telethon which raised $42,500, surpassing the goal of $42,000. Over 600 pledges were made by lawyer alumni over a four-night period, and pledges are still coming in.

Co-Chairmen Jenny Johnson ('85 J.D.) and Richard Burrell ('84 J.D.) led the project by recruiting eighty-three law students as callers. Johnson and Burrell thank the many alumni who answered "yes" when called and encourage those who are considering a pledge to respond positively.

To give added incentive to the callers, prizes were awarded to the most productive ones. While many enthusiastic callers gave valient efforts, only a few could take home prizes. The grand prize was awarded to Cliff Britt ('85 J.D.) for securing the most number of pledges (25) and raising the most amount of money ($1,635.00). Dave Henderson ('85 J.D.) and Tom Brennan ('86 J.D.) took second place awards.

H. Grady Barnhill, Jr. ('58 J.D.), Chairman of the 1983-84 Law Fund, reports that $275,000.00 has been pledged as of April 1.

"This brings us closer to the goal of $350,000 set by the Lawyer Alumni Executive Committee. We also plan to involve 62% of all lawyer alumni in the Law Fund this year. Currently, 51% have indicated their support. This is an excellent percentage and one which we all may be very proud of. I anticipate giving a very favorable report by June 30, the end of this year's campaign."

Class Notes

1921

Lex Marsh has been a realtor since 1926 in Charlotte, N.C. He served as Chairman of the Wake Forest University Trustees in 1961.

1923

John Council Joyner, Sr., continues to practice law in Asheville, N.C. at age 88. He specializes in estates and real estate matters.

1927

Fred Benedict Emmerson is retired and living in Chapel Hill, N.C.

His son, Fred, Jr., is an attorney for Plaza Associates in Chapel Hill.

1933

The Honorable **Harvey A. Lupton** continues to serve as Emergency Judge of the Superior Court for Forsyth County. He served as Judge of the Superior Court from 1965-1980 and as Solicitor of the Superior Court from 1954-1965.

1933

The Honorable Ralph W. Mitchell of Spartanburg, S.C. has retired after serving as Judge of the Spartanburg County Civil Court from 1944-1963 and as Master in Equity for Spartanburg County from 1963-1979.

1934

E. Johnston Ervin is currently retired and living in Concord, N.C. He and his wife, Marguerite, have three sons.

A. G. Kennedy continues to reside in Siler City, N.C. where his beef cattle farm operation has been very successful.

1937

Joe B. Pittman is retired and living in Whitakers, N.C. He has recently returned from a 3-week tour of Australia and New Zealand.

1938

H. Clay Hemrick, a partner in the Burlington, N.C. firm of Hemrick, Hemrick & Elder, P.A., specializes in personal injury cases.

The Honorable Robert M. Martin retired from the N.C. Court of Appeals December 31, 1982, where he had served since 1974.

1940

Joseph Walton Garrett of Raleigh, N.C., is retired after working with the N.C. Department of Motor Vehicles from 1943-1973. He was the Commissioner of the D.M.V. from 1969-1973.

1941

Wheeler Dale is living in Morganton, N.C. He has one son and two daughters.

J. Myers Cole is currently practicing law in Charlotte, N.C. Before moving to Charlotte, Cole retired from the FBI after 31 years of service as a special agent in San Antonio, Texas.

William W. Stanton, senior partner of the Sanford, N.C. firm of Stanton, Perkinson, West & Duster, specializes in trial practice. He is currently serving in the North Carolina Senate.

1942

Joseph B. Huff specializes in civil litigation in Marshall, N.C.

1947

Robert E. Waters, Sr., is the Supervisor of the Hartford County Bureau of Support Enforcement in Bel Air, Maryland.

1948

Spurgeon Carlyle Batten is living in Kennett Square, Pa. Batten retired from E.I. DuPont de Nemeurs and Co. in 1979.

Larry L. Williams is a partner in the Washington, D.C. law firm of Clifford and Warnke. He specializes in Antitrust law. Williams and his wife, Elizabeth Reis, have two children, a daughter, age 20, and a son (age 18) who is presently a freshman at Wake Forest University.

1949

Horace Robinson Kornegay is presently serving as Chairman of The Tobacco Institute in Washington, D.C. He is also on the Board of Visitors of the Wake Forest University School of Law.

Henry B. Huff is practicing law in Louisville, Kentucky. He is Chairman of the Trustees of Campbellsville College.

The Honorable Rawls H. Frazier is serving as an administrative law judge for the United States Department of Health and Human Services in Los Angeles, California.

1950

Norman Adrian Wiggins continues to serve as the President of Campbell College in Buies Creek, N.C., a position he has held since 1967. In 1981, Wiggins served as President of the American Association of Presidents of Independent Colleges and Universities.

Charles O. Whitley of Mount Olive, N.C. is currently serving his fourth consecutive term in the United States House of Representatives. He is a member of the House Agricultural committee and is the Chairman of the subcommittee on Forests, Family Farms and Energy.

The Honorable William Zeno Wood continues to serve as the Senior Resident Superior Court Judge of the 21st Judicial Distriet and resides in Winston-Salem, N.C.

1951

Donald E. Greene is a partner in the Hickory, N.C. law firm of Barrows, Hannah & Greene. He served as the District Attorney of the 25th Prosecutorial District from 1971-1982.

John Clifton Harper, a partner in the Winston-Salem firm of Harper, Wood & Brown, practices in the areas of estate planning, corporate law and litigation. He has served as a member of the Forsyth Memorial Hospital Board of Trustees since 1975 and is currently Chairman of the Winston-Salem A.B.C. Board.

1952

Paul T. Canady, II is currently in general practice in St. Pauls, N.C. where he also serves as city attorney. He is married to Hazel Bethea Canady and has 3 children.

Gerald F. White is a partner in the law firm of White, Hall, Mullen, Brumsey & Small in Elizabeth City, N.C. He is married to the former Sara Holcomb, and they have three children.

1953

Col. (USAF Ret.) Edward J. Tenney, Jr. continues to serve as the Sullivan County District Attorney in New Hampshire, a position he has held since 1971.

Robert B. Wilson, Jr., a partner in the Winston-Salem firm of Wilson & Small, specializes in commercial collection law. He and his wife, Patty Allen Wilson, have three adult children.

1955

Harry R. Hill, Jr. is a partner in the firm of Backes, Waldron and Hill and is primarily engaged in trial work. He has been Secretary of the Mercer County (N.J.) Ethics Committee and is the current President of the Mercer County Bar Association. He and his wife, Sara, have three children.

1956

The Honorable Gilbert H. Burnett of Wilmington, N.C. continues to serve as the Chief District Judge of the Fifth Judicial District of North Carolina.

1957

Howard Twiggs is practicing in Raleigh where he specializes in civil and criminal trials. He was president of the N.C. Academy of Trial Lawyers from 1980-1982.

1958

Frank Burkhead Wyatt, senior partner in the High Point, N.C. law firm of Wyatt, Early, Harris, Wheeler & Hauser, specializes in civil litigation. Wyatt presently serves on the Discipline Hearing Commission of the N.C. State Bar. He served as author and lecturer for the Wake Forest University-Continuing Legal Education Review and as a visiting Moot Court Judge.

Wyatt and his firm have restored the Old Court Building in High Point for their law firm's offices.

1959

Harold M. Edwards is engaged in the general practice of law of Charlotte, N.C. after having served as a United States Attorney from 1977 to 1981. He is a partner in the firm of Sanders, London & Edwards.

Koy E. Dawkins is a senior partner in the firm of Dawkins, Glass, and Lee in Monroe, N.C. He specializes in construction law and public contracts. Dawkins is serving as president of the Monroe Chamber of Commerce as well as president of the Union County Community Arts Council.

The Honorable Major B. Harding of Jacksonville, Fl. has served as Circuit Court Judge for Duval County (Fl.) since 1970. He and his wife, Jane Lewis Harding, have three children and one grandchild.

Arnold M. Stone is engaged in the practices of civil and criminal litigates for the firm of Stone & Rohatiner in Los Angeles, California.

James R. Sugg, a partner in the New Bern, N.C. firm of Sumrell, Sugg & Carmichael, specializes in insurance defense and municipal corporations. He is also the Craven County Attorney.

Sugg's son, Russell, and daughter-in-law, Anne Buzby Sugg, are both second-year students at the Wake Forest University School of Law.

Harold Douglas Turner is engaged in the general practice of law in Independence, Virginia. He serves as the city attorney for Galax, Va. and is the Chairman of the Virginia National Bank Board of Grayson County (Va.).

1960

Donald R. Canady of Fayetteville, N.C. announces the reorganization of his firm under the name of Canady, Person & Britt. The firm is engaged in the general practice of law.

Ronald Conrad Dilthey, senior partner in the firm of Patterson, Dilthey, Clay, Cranfill, Sumner & Hartzog of Raleigh, specializes in civil litigation and in the areas of personal injury, products liability, professional malpractice and workers' compensation. He also serves as an adjunct professor of law at the Campbell University School of Law.

The Honorable R. Kason Keiger continues to serve as District Court Judge for the 21st Judicial District of North Carolina, a position he has held since 1976. He and his wife, Ann, have three children and reside in Winston-Salem

I. Beverly Lake, Jr. is the senior partner in the Raleigh firm of Lake & Nelson, P.A. He specializes in public utilities, personal injury and medical malpractice.

1961

W. Richard Gentry is a member of the West Chester, Pennsylvania firm of Buckley, Nagle, Gentry, McGuire & Morris. He specializes in commercial lending law, tax free financing and real estate. He is a member of the Board of Directors of and Regional Counsel for Hamilton Bank, and a Director of the Chester County Pennsylvania Bar Association. Gentry and his wife, Christine, live in Downingtown, Pennsylvania.

Frederick E. Turnage continues to serve as the Mayor of Rocky Mount, N.C.

1962

Charles B. Deane, Jr. is a partner in the Rockingham, N.C. law firm of Jones, Deane, and Saunders. He is specializing in the areas of estates and real property law. Deane serves on the Richmond County Board of Education, as a Trustee for North Carolina Baptist Hospital, and as president of the Richmond County Bar Association. He and his wife, Myra, have four children.

Frederick Stanley Black is specializing in corporated law in South Boston, Va. He also serves on the Board of Zoning Appeals for the greater South Boston area.

R. Gene Edmundson is engaged in the general practice of law in Oxford, N.C. He is a partner in the firm of Edmundson & Catherwood.

A. Lincoln Sherk, a partner in the firm of Sherk & Tacobs, is engaged in the general practice of law in Winston-Salem

1963

James E. "Jim" Ezzell, Jr., of Rocky Mount, N.C. has recently been appointed as President and Managing Officer of sun Savings and Loan.

Sun Savings and Loan was established in 1978 and has current assets in excess of $27,000,000 with branch offices located in Spring Hope, Warrenton and Wilson.

Prior to his appointment, Ezzell served as District Court Judge, Seventh District of North Carolina

1964

Bob W. Bowers is a partner in the firm of Stoner, Bowers and Gray, P.A. in Lexington, N.C. where he specializes in civil litigation. Bowers and his wife, Shirley, have two children, Jeff, age 19, and Mandy, age 23.

L. Frank Burleson, Jr. is a partner in the Murfreesboro, N.C. law firm of Revelle, Burleson, Lee and Revelle. He specializes in municipal law, banking, bankruptcy and commercial law.

The Honorable Donald L. Smith of Raleigh, N.C. continues to serve as Special Superior Court Judge, a position he has held since 1974.

1965

Alfred J. Onorato is engaged in the general practice of law in New Haven, Ct. He has served as a legislator to the Connecticut General Assembly since 1979. Onorato was named Legislator of the Year in 1982.

1966

Joseph E. Johnson, a member of the firm of Leboeuf, Lamb, Leiby & Macrae in Raleigh, continues to serve as a Senator to the N.C. General Assembly.

Ed Whitt is engaged in the private practice of law in Roswell, Ga. where he specializes in the medical-legal field of practice.

Paul J. Williams of Charlotte specializes in criminal law, personal injury and domestic relations. He married the former Rae Knight on October 4, 1981.

1967

A. Doyle Early, Jr., is specializing in family law and personal injury with the High Point, N.C. law firm of Wyatt, Early, Harris, Wheeler and Hauser.

Paul L. Rifkin is engaged in the general practice of law in Asheville, N.C.

W. Bailey Watson of Charlotte has joined Barclays American Corporation's legal department as corporate counsel. In this capacity Watson will have responsibilities related to the company's consumer services group.

Barclays American Corporation is a diversified financial service company engaged in commercial finance and intermediate-term lending, factoring, leasing and consumer finance.

1968

Thaddeus A. Adams, III is the senior partner in the Greensboro, N.C. firm of Adams, North, Cooke & Landreth.

Ladson Frederick Hart is currently engaged in the general practice of law in Brevard, N.C. after having served as a District Court Judge from 1972-1976. He and his wife, Jean, have two children, Ladson Mills and Katherine Lambeth.

1969

Robert P. Hanner, II is practicing law in Charlotte, N.C.

Wesley B. Grant is a partner in the firm of Grant & Hastings, P.A. in Concord, N.C. Grant is married to Harriet H. Grant, and they have three children.

Bruce H. Robinson, Jr. is engaged in the general practice of law and has offices in Kernersville and Wallace, N.C. He is married to Sherry Vanore Robinson, and they have two children: Heather, age 11, and Lee, age 7.

1970

Harry H. Clendenin, III is a partner in the firm of McNairy, Clifford & Clendenin in Greensboro. He specializes in personal injury and workers' compensation. Clendenin is the Chairman of the Products Liability Committee, litigation section of the N.C. Bar Association.

The Honorable Ed Gregory is currently serving as District Court Judge of the 23rd Judicial District of North Carolina. He was elected in November, 1982.

Max E. Justice specializes in litigation and regulatory law for the firm of Grier, Parker, Poe, Thompson, Bernstein, Gage and Preston in Charlotte. In 1983 he served as President of the Wake Forest Lawyer Alumni Association, and he served as Chairman of the Volunteer Lawyers Program of the Mecklenburg County Bar for 1982-1983.

1971

James Samuel (Sam) Gorham, III a partner in the Hickory, N.C. firm of Thomas, Gaither & Gorham, is engaged in a civil general practice.

Katherine S. Miller-Todd is currently the pastor of the First Congregational Church in Rockwell, Iowa.

1972

Douglas S. Punger is living in Pfafftown, N.C. He and his wife, Leila Punger, have two sons.

1973

W. H. Lambe recently entered into a partnership with two other Durham, N.C. attorneys to form the firm of Walker, Lambe & Crabtree. Lambe specializes in real estate, corporate and business law.

R. Brandt Deal, Bruce Magers ('74) and John P. Van Zandt, III are pleased to announce the opening of their law offices Deal, Magers, and Van Zandt in Winston-Salem

John P. Paisley, Jr., specializes in personal injury cases and corporate law in Graham, N.C. Paisley was President of the Alamance Civitan Club for the year 1982-1983, and he is currently serving on the Elon College Alumni Board.

Dennis L. Salvagio is currently specializing in criminal defense as part of his trial practice in Orlando, Fla.

Melvin F. Wright, Jr., a partner in the firm of Alexander, Wright, Parrish, Hinshaw and Tash of Winston-Salem, specializes in personal injury and civil litigation.

1974

James L. Cole, in October of last year, joined the First National Bank of Kansas City (Mo.) as a Trust Officer in the New Business Department of the Trust Division.

Michael Aljournan Ellis of Goldsboro, N.C. specializes in criminal law, social security disability matters, real estate, collections and personal injury. He is married to Caroline Hoke Ellis, and they have two children.

Joel C. McConnell, Jr., a government relations specialist with The Hannaford Co., Inc. a Washington, D.C. public relations firm, died on December 26, 1983, of cancer. The family has asked that any contributions be made to the School of Law in his memory.

William H. Freeman is currently presiding as Resident Superior Court Judge for the 21st Judicial District of N.C. He announces his marriage this past fall to Cortland Creech.

W. Thompson Comerford, Jr., of the law firm of Petree, Stockton, Robinson, Vaughn, Glaze, and Maready is specializing in aviation and space law. He has recently been made a member of the International Association of Insurance Counsel. Comerford and wife, Joyce, have two children, Cal, age 14, and Erin, age 2.

The Honorable John Richard (Dick) Parker has been serving as District Court Judge, First Judicial District of North Carolina, since 1979. Parker and his wife, Peggy, have two children and live in Manteo, N.C.

Carl F. Parrish of Winston-Salem specializes in criminal law and domestic relations. He is a partner in the law firm of Alexander, Wright, Parrish, Hinshaw and Tash.

1975

James Bailey, a partner in the Wilmington, Delaware firm of Elzufon and Bailey, specializes in personal injury, family law, and business law.

Michael R. Greeson, Jr., has established a new law partnership with classmate Mike Page in Winston-Salem, N.C. Greeson specializes in litigation and business law. Prior to attending law school, Greeson worked with Wachovia Bank & Trust Co., N.A.

James W. "Mike" Page is a partner in the new law partnership of Greeson and Page. Page specializes in taxation with emphasis on estate planning and tax qualified retirement plans. He and his wife, Kathryn, have two sons.

D. Clark Smith, Jr. is a partner in the Lexington, N.C. firm of Brinkley, Walser, McGirt, Miller & Smith where he specializes in civil defense litigation. Smith has been on the Wake Forest Law School Lawyer Alumni Executive Committee since 1982.

Dennis M. Biety is specializing in the fields of Government Procurement and International Commercial Law as corporate counsel for the National Water Lift Division of the Pneumo Corporation in Kalamazoo, Michigan.

Thomas W. Cole practices law in Washington, D.C. where he specializes in patents, trademarks, and copyrights. Cole has one child, Christina Morgan Cole, born August 7, 1983.

Stephen J. Braun is the State's Attorney for Charles County, Md. Braun has two sons, Stewart, age 6, and Rob, age 2.

Paul A. Stephens, Jr., a military magistrate, is currently serving with the office of the Staff Judge Advocate at Fort McPherson, Georgia. He is specializing in the law of War and Islamic law. He is happy to announce his marriage to Mary Jane Michaels on January 15, 1983.

Richard D. Sparkmen of Lillington, N.C. is engaged in the general practice of real estate, wills and estates, personal injury and collections, while specializing in bankruptcy. He is currently serving on the Panel of Bankruptcy Trustees for the Eastern District of North Carolina.

David L. Wilson is a partner in the Winston-Salem firm of Wilson, DeGraw & Miller where he specializes in real estate, corporations, estates and litigation.

1976

Paul C. Shepard is in general practice with the Winston-Salem law firm of Hayes and Shepard. He is currently serving on the City-County Planning Board for Winston-Salem and Forsyth County.

Linda Ekstrom Stanley specializes in business litigation and insolvency law with the firm of Dinkelspiel and Dinkelspiel in San Francisco, California. She is also a member of the Committee of Bar Examiners of the State of California.

David R. Tanis is serving as a N.C. District Court Judge in Winston-Salem, N.C.

George A. Kaneklides is senior attorney with the Raleigh, N.C. office of Perry, Patrick, Farmer and Michaux. He is married to the former Ann Barnes Langdon.

Dale G. Glendening, a partner in the Fayetteville, N.C. firm of Chandler, Cooke, Jackson & Glendening, is engaged in the general practice of law.

Neil J. Marcus is a sole practitioner in Monongahela, Pa. where he specializes in personal injury and workmen's compensation cases.

1977

Rebecca Lynn Connelly is associated with Booke & Company and specializes in employee benefits and corporate law. She was recently promoted to vice-president and manager of the technical support division of the Winston-Salem based consulting firm.

James H. Cooke, Jr. is engaged in the general practice of law with the Fayetteville, N.C. firm of Chandler, Cooke, Jackson & Glendening, P.A.

H. Lee Davis, Jr., a partner in the Winston-Salem firm of Hutchins, Tyndall, Doughton and Moore, specializes in litigation.

Robert D. Hinshaw, a partner in the recently formed Winston-Salem law firm of Alexander, Wright, Parrish, Hinshaw and Tash, specializes in business law, wills and estate planning.

Malcolm E. Osborn, a partner in the firm of House, Blanco & Osborn, P.A., continues to practice in Winston-Salem. Osborn served as an adjunct professor of law at Wake Forest for the period of 1974-1982 where he taught tax practice and procedure. Osborn recently purblished two tax articles which have appeared in *Taxation for Lawyers* and *The C.L.U. Journal*; he also lectured at the 1983 Hartford Institute on Taxation.

Leonard Michael Dodd of the law firm of Dimmock, Reagan, and Dodd in Raleigh, N.C. specializes in criminal law in both state and federal courts. Dodd is a member of the Executive Committee of the N.C. State University Humanities Foundation.

James K. Dorsett, III specializes in civil defense litigation with the firm of Smith, Anderson, Blount, Dorsett, Mitchell, and Jernigan of Raleigh, N.C. Dorsett became a partner in January, 1983. He is also serving on the Board of Directors of the Wake County Bar Association.

Manes M. Merrit is specializing the tax law with the New York City law firm of Patterson, Belknap, Webb and Taylor. Merrit recently married Melanie Laura Sale, former law librarian at the Wake Forest Law School.

Steven G. Schwartz is associated with Foster Wheeler Energy Corporation of Livingston, N.J. where his practice involves corporated, commercial and construction law.

Joshua W. Willey, Jr. is engaged in a general trial practice in New Bern, N.C. He is currently serving as the Secretary-Treasurer of the Craven County Bar Association. Willey married Denise Laine Gaskins on January 22, 1983.

David S. Williams is serving as the senior law clerk for the Honorable John D. Larkins, Jr., Senior United States District Judge. He resides in New Bern, N.C.

1978

Richard S. Heller of New York, N.Y. specializes in "blue sky" laws in the corporate sector.

Thomas M. Hindmarch is a tax attorney in the legal department of ICI Americas Inc., in Wilmington, Delaware. Hindmarch and his wife have two children, Meghan Elizabeth, born September 2, 1983, and Matthew Donald, age three.

Ronnie M. Mitchell is practicing law with the Fayetteville, N.C. firm of Harris, Sweeny, and Mitchell. He and his partners have just completed the restoration of an old Victorian house which will serve as their new office.

Bruce Alan Herald of West Chester, Pa., is specializing in estates, corporate law and taxation.

Pamela A. Jamarik specializes in corporate law for the Michelin Tire Company in Lake Success, N.Y.

Marva Liston McKinnon is an instructor of business law at Richland College in Richardson, Texas. She plans to return to private practice in North Carolina in July, 1984.

J. Lloyd Nault, II is a member of the legal staff of Southern Bell's corporate headquarters in Atlanta, Ga. He specializes in regulatory and administrative law.

B. Jefforey Wood is a solo practitioner in Winston-Salem. He and his wife have two sons: Benjamin Chadwick, age 3, and Chistropher Jeffrey, 6 months.

1979

Ann Heffelfinger Barnhill specializes in domestic relations for the Greenville, N.C. firm of Williamson, Herrin, Stokes & Barnhill.

R. Stewart Barroll is a partner in the Chesterton, Md. firm of Hoon & Banoll where he specializes in litigation. Barroll married the former Kimberly Jo Sherman of Prince George. Va. on September 17, 1983.

Walter Foy Clark is an ocean and coastal law specialist with the University of North Carolina Sea Grant College Program. His work is dedicated to protecting the coastal environment.

J. H. Corpening, II is a partner in the Wilmington, N.C. firm of Prickett and Corpening.

William Joseph Kubida of Phoenix, Arizona will be wed to Mary Jane Hamilton of Kirkwood, Missouri on April 14, 1984. Kubida specializes in patents, trademarks and copyrights.

John Hutchens, Jr., (class of '79) and **Martha Hutchens** (class of '81) are employed by Food World, Inc. of Greensboro, N.C. They have two sons John Davis, age 3, and Paul Alexander, age 2.

John H. Watters is currently working with the N.C. Dept. of Justice, Attorney General Office in Salemburg, N.C. Watters and his wife have one daughter, Amy Lauren Watters, age 2.

Marilyn Porter Koch is associated with the Legal Division of First Union Corp. in Charlotte, N.C.

Robert H. Williams began on February 14, 1984 an around-the-world trip on board a U.S. Navy Ship where he will be a full-time political science and business law instructor.

Eugene Wilson Muse and his wife, Teresa, have recently bought an 1869 Gothic house and are restoring it. Muse is a partner in the Tarboro, N.C. law firm of Weeks, Muse, Surles & Muse.

Charles Stanley Rountree is a partner of the firm Evans and Rountree in Rocky Mount, N.C. where he practices civil and criminal litigation. He is the current president of the Nash County Young Democrats and Treasurer of the Rocky Mount Jaycees. He was awarded the Jaycee Freedom Guard Award for 1983.

David P. Shouvlin is an associate with the law offices of Vernon F. Glenn in Winston-Salem where he specilizes in litigation.

Thomas P. Stamps is a partner in the firm of Zusmann, Small, Stamps and White where he specializes in bankruptcy and commercial litigation. He is married to the former Regina Thomas and has one daughter, Katherine Camilla, who was born February 12, 1983.

E. Roy Stanford specializes in management employment law for the Atlanta law firm of Mitchell, Clarke, Pate, Anderson and Winberry.

David F. Tamer of Winston-Salem specializes in bankruptcy and serves as vice-president of the Forsyth County Young Lawyers Association.

Robin Kenton Vinson, an associate with the Raleigh firm of Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, specializes in contract and tort litigation.

1980

Dan A. Boone is a corporate attorney with Food Lion, Inc. in Salisbury, North Carolina. His wife, Teena, recently gave birth to their first child — a boy, on December 1, 1983.

Evander M. Britt, III of Lumberton, N.C. is engaged in the general practice of law with emphasis on criminal, domestic and personal injury cases. Britt was married to the former Mary Heaphy of Winston-Salem on June 4, 1983.

William S. Britt of the firm of Britt & Britt in Lumberton, N.C. specializes in criminal and domestic law and personal injury litigation. He has been Chairman of the Law Day Committee in Lumberton for the past three years.

William Finley Brooks is the current President of the Wilkes County Young Lawyers Association. He specializes in criminal defense, plaintiff's personal injury cases and domestic relations.

Sally M. Foster specializes in computer and contract law in Falls Church, Va.

Kim W. Gallimore specializes in business law, real property and estate administration for the High Point, N.C. firm of Wyatt, Early, Harris, Wheeler & Hauser, of which he became a partner in January, 1983.

H. Davis North, a partner in the firm of Adams, North, Cook, & Landreth in Greensboro, N.C. is specializing in criminal law.

Karen A. Raschke is an attorney for the industrial relations department of Virginia Electric and Power Company. She specializes in labor arbitration, workers' compensation and unemployment compensation.

Edith Whitley Pierce practices law with the firm of Darden and Pierce in Morehead City, N.C. Pierce currently serves as President of the Carteret County Bar Association. She has one son, James Kyser Pierce, age 1½.

Carol Lumb Allen practices law in Winston-Salem, N.C. She is serving on the executive committee of the Forsyth Country Bar Association (1983-84) and on the Juvenile Justice Council (1983-84).

Thomas James Pitman has formed a new law partnership with Hiram C. Bell in Jacksonville, N.C.

Maria Tugwell specializes in defense litigation for the firm of Van Winkle, Walton, Buck & Wall in Asheville, N.C. She served as the Secretary-Treasurer of the 28th Judicial District Bar in the 1982-1983 year.

M. Allen Wilson specializes in tax for the accounting firm of Arthur Anderson & Company in Greensboro, N.C.

1981

Robert L. Wilson, Jr., of the law firm of Hollowell and Silverstein in Raleigh, N.C., is specializing in health law. Prior to entering private practice, he served as a clerk for Judge Cecil J. Hill of the N.C. Court of Appeals.

Keith C. Martin is currently practicing law for the Arlington, Va. law firm of Walsh, Colucci, Malinchak, and Emlich. He specializes in zoning and land use.

David S. Jonas is a captain in the U.S. Marine Corps and is stationed at Camp Pendleton, California. He is involved in criminal defense work for the Marine Corps.

Jeffrey R. Usher is currently employed as manager of Labor Relations for Fleming Companies, Inc. in Oklahoma City, Okla.

Marshall Hurley practices law with the Greensboro firm of Darl L. Fowler, P.A.

William S. Lewis is currently practicing law in Kingsport, Tenn.

Randall Lee Frank specializes in bankruptcy and commercial litigation with the Bay City, MI firm of Pominville and Frank.

Donald L. Woodsmall is currently working with a syndication/development company located in Dallas, Texas.

Michael S. Speas specializes in banking and commercial lending with the Baltimore firm of Miles and Stockbridge.

David L. Narkiewicz recently joined the Jenkintown, Pa. law firm of Mayer and DelRicci as an associate.

William Farrior Ward, III recently opened a private practice in New Bern, N.C. after working 2 years with the Public Defender's office.

William O. Mosley, Jr. is in a private practice in Greensboro, N.C. He specializes in bankruptcy and estates and wills.

Steven P. Vangel is specializing in admiralty and litigation with the Houston, Texas firm of Hill, Rivkins, Carey, Loseberg, O'Brien and Mulroy.

Terri L. Gardner is practicing law with the Raleigh, N.C. firm of Smith, Debnam, Hilbert, and Pahl.

Wanda F. Brown is associated with the Charlottesville, Va. law firm of Robert M. Musselman & Associates. Her general practice includes corporation, bankruptcy, trusts, estates and real estate.

Kirsten D. Edwards is an associate with the Columbus, Ohio firm of Bricker & Eckler. She specializes in commercial and corporate litigation.

Fred M. Granum, after serving two years as a law clerk to U.S. Bankruptcy Judge James B. Wolf, Jr., of the Middle District of North Carolina, joined the Portland, Oregon law firm if Morrison, Dunn, Carnez, Allen & Tongue in September, 1983. Granum specializes in bankruptcy and commercial litigation.

Lawrence P. Margolis is engaged in the general practice of law in Charlotte, N.C.

T. Lawson Newton specializes in real estate for the firm of Alexander, Wright, Parrish, Hinshaw and Tash in Winston-Salem.

Thomas P. Walk is currently engaged in the general practice of law for the Tazewell, Va. firm of Gillespie, Chambers, Combs, Altizer, and Givens.

1982

David Malcolm Furr is practicing law with the firm of Garland and Alada in Gastonia, N.C. Furr received his LLM in taxation from the Univ. of Florida and is specializing in tax. He has one daughter, Anne Bradley Furr, age 1.

Edward Stephen Booher, Jr., is currently practicing in Washington, D.C. for the firm of Kutak, Rock and Huie.

Charles E. Frye is engaged in the general practice of law in Lexington, N.C.

Capt. Urs R. Gsteiger specializes in criminal law and international law for the United States Army.

Margaret A. Hurst is currently specializing in family law for the Jacksonville Legal Aid Society in Jacksonville, Florida. She expects to begin her new position as Assistant District Attorney for Nassau County, New York in early 1984.

R. Tyler Morgan entered the Federal Bureau of Investigation in July, 1983 and has been assigned to the Miami, Florida area.

Steven N. Alper is a general practitioner in Charlotte, N.C. specializing in juvenile, civil, and criminal representation. He is also the legal advisor to the Charlotte Life Saving and First Aid Crews.

Pamela Anne Keris specializes in commercial litigation with the Tampa, Florida law firm of Fowler, White, Gillen, Boggs, Villereal, and Barker.

David Anderson Carmen is currently serving as law clerk to the Honorable Hiram H. Ward, Chief U.S. District Court Judge for the Middle District of N.C.

Alexandra M. Hightower is specializing in real property matters in Raleigh, N.C.

Charles H. Camp is specializing in taxation with the Lake Charles, La. firm of Camp, Carmouche, Barsh, Hunter, Gray and Hoffman. Camp received his LLM in tax from George Washington University in 1983.

Rudy Langdon Ogburn is a trust officer with the trust department of First Citizens Bank in Raleigh. Ogburn will be transferred in March of this year to Greensboro where he will be in charge of the new regional trust office.

Joseph Charles Weinburger, Jr., is associated with the firm of Ramsey, Hubbard, Galloway & Cates in Roxboro, N.C. He specializes in civil litigation.

Warren Randal Taylor Wolfe entered the Marine Judge Advocate General program in October, 1983.

Lt. David S. Yandle is serving in the Judge Advocate General Corps for the U.S. Naval Reserves in Norfolk, Va. He and his wife, Tricia, have one daughter, Laura Catherine, born June 9, 1983.

1983

James Henry "Chip" Burrus has recently completed training at the FBI Academy and is currently on assignment as a Special Agent in El Paso, Texas.

Neal W. Fisher is an associate with the firm of Coopers & Lybrand in Charlotte where he specializes in tax law.

Nancy Dail Fountain is practicing business law and litigation for the firm of Moore, Ragsdale, Liggett, Ray and Foley, P.A. in Raleigh, N.C.

George Thomas Lee specializes in municipal bonds for the firm of Brown, Wood, Ivey, Mitchell & Petty in New York City.

Kim Ledford is an attorney with the N.C. Industrial Commission in Raleigh where she specializes in workman's compensation.

Christopher E. Leon is presently an associate with Gordon, Feinblatt, Rothman, Hoffberger & Hollander in Baltimore, Maryland.

John D. Madden is practicing in Raleigh where he specializes in medical malpractice and insurance defense.

Eloise McCain is an agency legal specialist for the N.C. Department of Human Resources in Raleigh.

Myron L. Moore is a Tax Staff Attorney for Seidman & Seidman, Certified Public Accountants in High Point, N.C. He and his wife, Rebecca, reside in High Point, N.C.

Victor H. E. Morton, Jr., has recently joined the North Carolina Department of Justice as an associate attorney with the anti-trust division. His responsibilities will include the handling of criminal appeals, price fixing and business monopoly cases.

John J. Hanlon is an Assistant Appellate Defender for the 7th Judicial District in Springfield, Illinois.

He and his wife, Cathy, are expecting their first child in April.

Alexis Chjristopher Pearce is serving as a law clerk to Associate Justice Henry E. Frye of the North Carolina Supreme Court.

Gregg Pesciotta of Newark, N.J. specializes in personal injury cases.

Allen Whitaker Powell specializes in real estate for the firm of Gulley and Barrow in Raleigh, N.C.

Ricky Charles Silver is serving as a law clerk to the Honorable James C. Hill, U.S. Court of Appeals, Eleventh Circuit.

Drew Williamson is serving as a legal research assistant to the Honorable Gerald Arnold of the N.C. Court of Appeals in Raleigh. Williamson was the 1982-1983 editor of the *Jurist* alumni magazine.

Anita M. Yova is associated with John D. Surratt, P.A. in Winston-Salem where she practices in the areas of business law, estates, tax law, and litigation.

William G. Hamby, Jr., is currently employed by Phillip G. Carroll, Attorney at Law, in Concord, N.C.

Gary B. Whitaker specializes in litigation with the law firm of Martin and Van Hoy in Mocksville, N.C.

Deborah Lynn Leonard is currently a clerk with the N.C. Court of Appeals in Raleigh, N.C.

John K. Motsinger is staff attorney for United Guaranty Corp. in Greensboro, N.C.

Lynette Hicks Troutman is a sole practitioner in Mocksville, N.C.

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- N.C. Family Law Practice Handbook (1984)
- N.C. Family Law Practice Manual (1982)

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- N.C. Estate Planning Practice Manual (1984)
- N.C. Will Drafting & Probate Practice Handbook (1983)

Real Property
- N.C. Real Property Practice Manual (1983)
- N.C. Real Property Practice Handbook (1982) with Supplement (1983)

Law Office Economics & Management
- N.C. Law Office Management Handbook (1984) (available May 1984)

Business & Corporation Law
- N.C. Business Practice Manual (1983)
- N.C. Business Practice Handbook (1981) with Supplement (1983)

Trial Practice — Civil
- N.C. Trial Book — Civil: Master & Individual Case (1983)
- N.C. Workers' Compensation Manual (1983)
- N.C. Professional Malpractice (1983)
- N.C. Tort Practice Manual (1982)
- N.C. Tort Practice Handbook (1981) with Supplement (1982)

Trial Practice — Criminal
- N.C. Trial Book-Criminal: Master & Individual Case (1982)

For further information, please contact
WF-CLE, P.O. Box 7206, Reynolda Station, Winston-Salem, NC 27109-7206, (919) 761-5560.

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